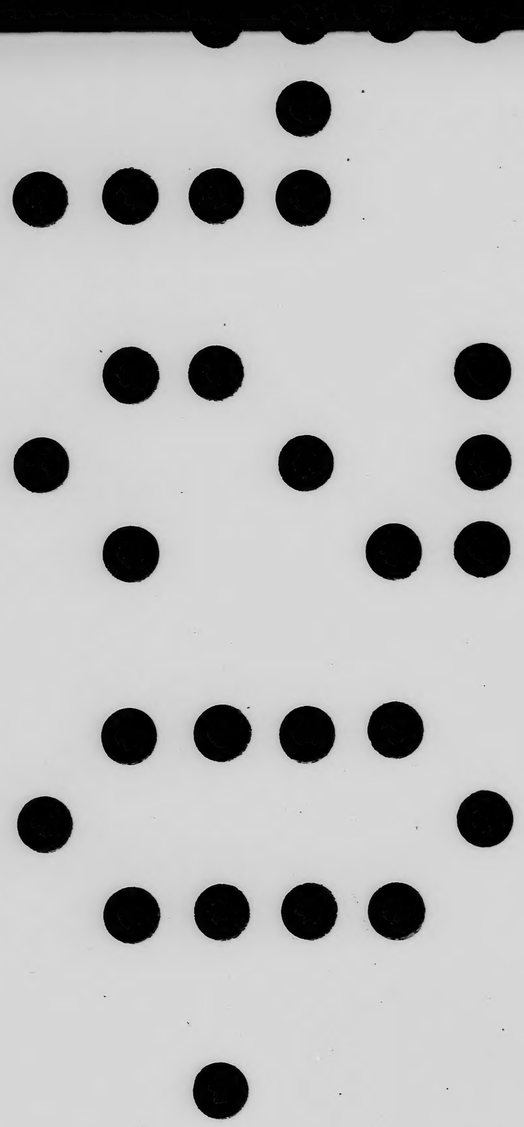

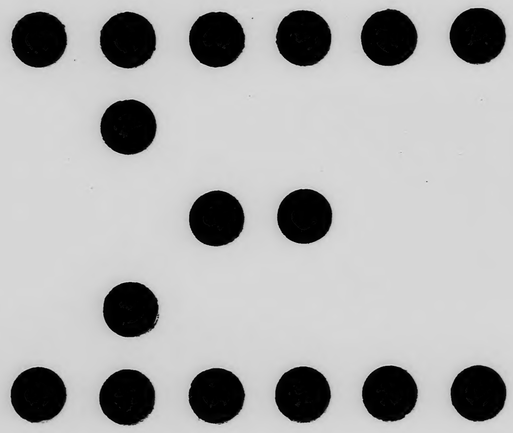

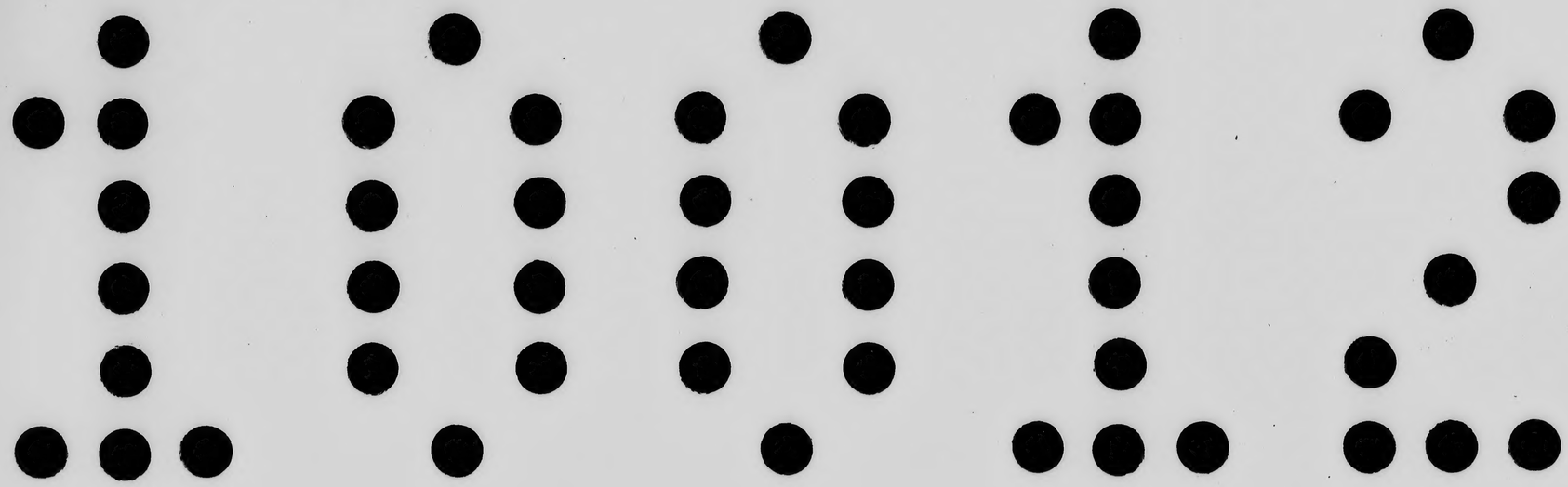

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[illegible], July 18, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on official business. The minutes of the previous meeting read and approved.

[illegible], Johnson--

On motion, it was ordered that one, M. Johnson, be refunded three-fourths [illegible] of the special license tax paid by him to conduct an ice cream stand at 91 Southside [illegible]; Mr. Johnson having discontinued the business.

[illegible]

The complaint of one, R. C. Forney, that the surface water after heavy rains, and the water from the colored swimming pool was seriously damaging his lot at 21 Lemmons Street, was, on motion, referred to the Commissioner of Public Works for investigation and report.

J. C. [illegible]--PUBLIC CHAUFFEUR'S LICENSE.

One, J. C. Adams, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

LOUIS SIDNEY--PUBLIC CHAUFFEUR'S LICENSE.

One, Louis Sidney, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

LESLIE C. INGLE--PUBLIC CHAUFFEUR'S LICENSE.

One, Leslie C. Ingle, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

[illegible]

On motion, the following building permits were granted:

J. G. Andrews	Repairs	50 Ashland Avenue	Estimated cost		$1,500.00
Easton Mears	5-rm house	Hunts Mill	"	"	$ 3,500.00
"	6-rm house	Hunts Mill	"	"	$ 4,000.00
Fred Monk	3-rm house	Pearyone Street	"	"	$ 1,400.00

On motion, adjourned.

[signature]
Secretary-Treasurer

Tuesday, July 19, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

GENTRY BROS. DOG & PONY SHOW--LICENSE.

On motion, it was ordered that the Gentry Bros. Dog & Pony Show be granted a license to exhibit in the City on August 10th or August 11th for one day only on the payment of the license tax.

G. W. BRENN--FINAL PAYMENT ON PUBLIC COMFORT STATION.

On motion, it was ordered that a voucher be drawn in favor of G. W. Brenn & Co. for $841.50, final payment on the public comfort station contract.

J. E. BAUMBERGER--PUBLIC CHAUFFEUR'S LICENSE.

One, J. E. Baumberger, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

BUILDING PERMIT.

On motion, the following building permit was granted:

Encie Agnew	Recover House	97 Circle Street	Estimated cost	$45.00

On motion, adjourned.

[signature]
Secretary-Treasurer.

Wed[illegible]day, July 20, 1921-- 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

[illegible]

The application of one B. M. Hawkins, an ex-soldier, for a license gratis to wholesale food products in the city, was on motion, taken under advisement.

CONLEY LOGAN--[illegible]

One, Conley Logan, filed bond, court record, doctor's certificate and recommendation, as required under the ordinance regulating public service automobiles, and made application for a chauffeur's license.

In view of Logan's court record, as evidenced by the certificate of the Clerk of the Police Court, on motion of the Commissioner of Public Safety and unanimously adopted, it was ordered that the application of Logan be refused.

(Copy of Police Record)

[illegible]ville, N. C. July 19th, 1921

I, P. L. Stones, Deputy Clerk of the Police Court of the City of Asheville, hereby certify that the following is a true and correct copy of the criminal record of CONLEY LOGAN in said court, covering that period of years from January 1, 1915, to date:

Date of Arrest	Charge	Disposition of Case
July 1921	Dis. Conduct	$5.00 & Cost
" "	Wanted in Hendersonville	Turned over
Jan. 1921	Speeding	$5.00 & Cost
Aug. 1917	No State License	Dismissed
Aug. 1918	Assault	$25.00 & Cost
Dec. 1918	No State License	Dismissed
Feb. 1919	Retailing	Capias
June 1919	Cut out open	$ 5.00 & Cost
Jan. 1919	Traf. Ord.	$ 5.00 & Cost
Sept. 1919	Overcharge Auto Hire	Dismissed
Feb. 1920	Gambling	Cost
Nov. 1920	No State License	Nol. Pros.

WITNESS my hand and the official seal of the Police Court of the City of Asheville, this the 19th day of July, 1921

P. L. Stone
Deputy Clerk of the Police Court
of the City of Asheville, N. C.

J. R. SIMPSON-- [illegible]

One, J. R. Simpson, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

[illegible] LOGAN.) [illegible]

On motion, it was ordered that the paving assessment, amounting to $352.80 [illegible], Sheet 16 (City's Tax Map), located on Spring Street, deeded to the City of Asheville by Mrs. W. E. Logan be exempted.

[illegible]tion, adjourned.

[signature]
Secretary-Treasurer.

[illegible]ursday, July 21, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on official business. The minutes of the previous meeting read and approved.

CONLEY LOGAN--[illegible]

Attorney W. G. Fortune, representing one Conley Logan, whose application for chauffeur's license had been refused by the Board due to his police court record, appeared before the Board and asked that his client be granted a license calling attention to the fact that his criminal record, as shown by the certificate of the Clerk of the Police Court, was not any worse that the criminal record of some of the parties who had been passed by the Board.

This matter, on motion, taken under advisement pending the return of the Commissioner of Public Safety.

WILLIE PENLAND-- PUBLIC SERVICE CHAUFFEUR'S LICENSE.

One, Willie Penland, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

GROVER C. RIGGS--PUBLIC SERVICE CHAUFFEUR'S LICENSE.

One, Grover C. Riggs, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

CHARLIE REDMON)
HAYWOOD QUAKENBUSH) APPLICATION FOR CHAUFFEUR'S LICENSE
WALTER SUMNER)

The applications of Charlie Redmon, Haywood Quakenbush and Walter Sumner for chauffeurs' licenses to drive public service automobiles, were on motion, referred to the Commissioner of Public Safety for investigation and report as to the criminal records of the above mentioned parties.

COAL--BIDS RECEIVED.

This being the day according to the City's advertisement, that bids were to be opened for the city's supply of coal during the next year, the following bids were opened and canvassed by the Board.

On motion, all bids were taken under advisement, the Clerk in the meantime, being instructed to tabulate the bids and submit same to the Board for its consideration.

	Priced	Lump	Run of Mine
Southern Coal Co. Asheville, N. C.			
Clinchfiled, Lump	Delivered Bldg.	8.75	
Clinchfield, Run of Mine	" "		7.75
Perkins-Harlan Lump	" "	8.50	
Perkins-Harlan Run of Mine	" "		7.50
Citizens Transfer & Coal Co. Asheville, N. C.			
Pardee- Block	Delivered Bldg.	8.75	
Pardee- Run of Mine	" "		7.75
Tenneesee & Kentucky Block	" "	8.50	
Tennesee & Kentucky Run of Mine	" "		7.50
The Peoples Coal Co. Asheville, N. C.			
Horse Creek- Lump	Delivered Bldg.	7.45	
Horse Creek- Run of Mine	" "		7.20
Thorp, Ky- Run of Mine	" "		6.75
Superior Ky.- Lump	" "	7.75	
Superior Ky. - Run of Mine	" "		7.25
Russell Fork- Lump	" "	7.75	
Russell Fork- Run of Mine	" "		7.25

		Lump	Sum of mine
[illegible]			
[illegible]	[illegible]	[illegible]	
[illegible]	"		7.18
[illegible]		7.75	
[illegible]			6.75
[illegible]			
[illegible]	[illegible]	[illegible]	
[illegible]	"		7.75
[illegible]	" "	[illegible]	
[illegible]	" "		7.60
[illegible]			
[illegible]	[illegible]	[illegible]	
[illegible]	" "		6.83

BUILDING [illegible]

[illegible] granted:

[illegible]	Porch	[illegible]	[illegible] cost	$ 75.00
[illegible]	[illegible]	[illegible]	"	100.00
[illegible]	[illegible]	[illegible]	" "	500.00
[illegible]	[illegible]	[illegible]	" "	550.00
[illegible]	[illegible]	[illegible]	" "	100.00

[illegible]

[illegible] - Treasurer.

[illegible] Vice Mayor Merrill [illegible]

[illegible] property owners, filed [illegible] for the construction [illegible] Montford Avenue.

[illegible] Coleman, [illegible] to the proposed construction [illegible] considered not only a dangerous [illegible] in and out would prove [illegible]

[illegible] with Mr. Lee Owenby, who [illegible] to construct these [illegible] an automobile explode [illegible] fire to the store building would [illegible]

[illegible]; the Board agreeing to [illegible] Fire Chief in person some [illegible]

[illegible] with reference to his [illegible] service automobile, asking [illegible] him the license requested.

[illegible] could not [illegible]

[illegible]

Saturday, July 23, 1921. 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

[illegible]

Attorney J. W. Haynes, representing Mrs. Eugene B. Gudger, appeared before the Board and asked what decision had been reached in connection with Mrs. Gudger's application for the construction of certain garages on her property on Montford Avenue next to Owenby 's store.

Mr. Haynes explained that the Building Inspector had refused to grant Mrs. Gudger a permit and she had appealed from his decision to the Board. He further stated that his client was perfectly willing for the City to inspect the building she expects to construct, and put up any kind of building the City desires, from the standpoint of a fire hazzard, but she was not willing for the Building Inspector to refuse to grant her a permit unless his action was upheld by law.

It was explained to Mr. Haynes that this matter had been taken under advisement by the Board and it was the intention of the Board to go over and inspect the ground in person before arriving at any definite decision in the matter.

[illegible]

The claim of Isaac Davidson and Van Walser on account of alleged damage to crops in the construction of the Bee Tree Water line, was, on motion, referred to the Commissioner of Public Works for investigation and report.

DRIVERS FIRE [illegible]

A motion by the Commissioner of Public Safety that the City buy uniforms for the driver and assistant chief of the Fire Department was, on motion, taken under advisement.

Hon Mayor and Commissioners,

Asheville, N. C.

Gentlemen:

I move that the City buy uniforms for the Fire Truck Drivers and Assistant Chief, nine in all.

R. L. Fitzpatrick
Commissioner of Public Safety.

S. ARGINTAR-- [illegible]

The bond filed by one S. Argintar, signed by himself and S. H. Friedman preparatory to his application for a license to conduct the business of pawnbroker in the city, having been approved by the Corporation Counsel, it was ordered, on motion, that the license of Mr. S. Argintar to carry on the business of a pawnbroker be granted.

ARMOUR [illegible] CO-- [illegible]

The opinion of the Corporation Counsel with reference to the application of that portion of the special tax ordinance levying a license tax on trade stamps, etc., to Armour & Company in the sale of certain soap wherein premiums are offered, was read to the Board and, on motion ordered filed.

July 23, 1921.

To the Honorable Mayor-Commissioner and
Board of Commissioners of the City
of Asheville, N. C.

Gentlemen:

Replying to your communication of the 1st instant with reference to request for legal opinion by Armour & Company, as to whether the tax ordinance providing for a special license tax on any person engaged in trading stamps, etc., applied to their local business, I have to advise that I received a letter from the Secretary-Treasurer in due time, but inadvertantly he failed to send me the correspondence with this case, and I overlooked the matter until it was called to my attention today, and in reply I call your attention to that portion of your tax ordinance for the year 1921-22 set forth on page 22, sub-head "D", which provides for a tax as set forth therein.

I am of the opinion that if Armour & Company offer premiums as set forth in their letter, under date of June 23, 1921, to Armour & Company, this City, attention Mr. Bridges and signed by T. J. McCormack, that this company is liable for the license tax provided for in tax ordinance, as aforementioned.

Very respectfully yours,

George Pennell

Corporation Counsel.

A communication from the Corporation Counsel asking for instructions relative to the drafting of an ordinance prohibiting the use of garages, any part of which is used for dwelling or public purposes, was read to the Board, and also on motion taken under advisement.

July 23, 1921.

To the Honorable Mayor-Commissioner
and Board of City Commissioners,
Asheville, N. C.

Gentlemen:

On the 5th instant I received a communication from your Honorable Body in which a request of the Chief of the Fire Department for the passage of an ordinance prohibiting the use of garages any part of which is used for dwelling or public purposes, was referred to me. In the matter aforementioned I did not receive any instructions as to what you desired me to do.

I will greatly appreciate specific instructions if you want an ordinance drafted covering the aforementioned matter.

Yours truly,

Geo Pennell

Corporation Counsel.

The application of one, Charlie Redmon, for license to operate or drive a public service car in the city, was, on motion of the Commissioner of Public Safety, refused; the refusal being based on Redmon's criminal record, as shown by the certificate of the Clerk of the Police Court.

(Copy of Certificate)

Asheville, N.C. July 8th, 1921.

I, P. L. Stone, Deputy Clerk of the Police Court of the City of Asheville, hereby certify that the following is a true and correct copy of the criminal record of Charlie Redmon in said court, covering that period of years from January 1, 1915 to date:

Date of Arrest	Charge	Disposition of Case
Jan. 1917	Drunk	Cost
Mar. 1918	Assault	Not Guilty
April 1919	Drunk	$25.00 & Cost
Aug. 1919	No. Pub. Service Li.	Dismissed
April 1919	Rec. driving	$10.00 & Cost
Nov. 1919	Attempt to Commit a Felony	Cost
Nov. 1919	Drunk	Cost
Dec. 1920	C.C.W.	2 months Co Rds Power to Hire
Dec. 1920	Drunk	Cost
Dec. 1920	Dis. Conduct	30 days
Aug. 1917	No.lights	$3.00 & Cost
May 1918	Assault	Nol.Pros.
May 1916	Drunk	$5.00 & Cost
10/16/1916	Drunk	$5.00 & Cost
10/18/1916		$5.00 & Cost

One, Haywood Quakenbush, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

One, Walter Sumner, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

One, W. A. Misenheimer, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

One, Robt. F. Austin, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permit was granted:

Jas. G. Moore	6 rm residence	Madison Avenue	Estimated cost $2,000.00

On motion, adjourned.

Secretary-Treasurer.

Monday, July 25, 1921 -- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

On motion, it was ordered that one L. P. Shirlin be allowed to substitute a bond signed by himself and C. C. Willis in place of the bond signed by himself, J. E. Creasman and W. A. Rexford. This bond filed with his application for a license to act as chauffeur of a public service automobile.

On motion, adjourned.

Secretary-Treasurer.

Tuesday, July 26, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

Upon the request of Mr. J. V. Martin, chairman of the Park Commission, it was ordered that the Board of Commissioners meet with this body tomorrow afternoon at 3 o'clock in the City Hall.

Mr. C. H. Bartlett, City Tax Collector, appeared before the Board and asked for a definition of wholesale fruit dealers under the ordinance levying special taxes on such business recently adopted by the Board.

Mr. Bartlett stated that it was the opinion of a number of the resident wholesale dealers in the city that anyone selling produce for re-sale was classed with the wholesale dealers, and therefore subject to the tax. He stated that some of the wholesale dealers contended that farmers selling produce to merchants for re-sale should be required to pay this tax and that peddlers selling as much as a "crate" of canteloupes to retail dealers were also subject to the tax.

This matter, on motion, referred to the Corporation Counsel for legal advice.

Mr. Bartlett further called attention to the fact that one Hiram Wilson had a carload of canteloupes in the freight yard for sale and in view of the fact that his partner was a resident of Asheville, contended that he should only be charged the license tax assessed resident wholesale dealers.

This matter also, on motion, referred to the Corporation Counsel.

One, Kenneth Douglas, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was on motion, approved, and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

E. B. Thompson	Repairs	15 and 17 Miller Street	Estimated cost	$50.00
J. W. Moore	Bath room	Fifth Avenue	" "	250.00
G. W. Wrenn	6-rm House	262 Haywood Street.	" "	5500.00
Avery Hooper	9-rm House	41 Magnolia Street	" "	3800.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, July 27, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

One, O. C. Pressley, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was on motion, approved and it was ordered that he be granted the license requested.

One, Fred Hunter, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was on motion, approved and it was ordered that he be granted the license requested.

One, Fred Yarborough, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was on motion, approved and it was ordered that he be granted the license requested.

One, G. C. Worley, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Donald & Waddell Gillis	Repairs	156 Spruce Street	Estimated cost	$ 75.00
J. G. Pirson	5-rm house	Bartlett Street	" "	3500.00
Mrs. Streeter	Add 4 rooms	Stonehedge San. Sunset Drive	" "	2550.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, July 28, 1921-- 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting was read and approved.

On motion of the Commissioner of Public Safety, it was ordered that the vote by which the application of one Conley Logan was refused, be rescinded.

One, Conley Logan, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

One, Howard Justice, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, the application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

At the request of Mr. W. M. McDowell, it was ordered, on motion that the City Engineer be instructed to establish a street line and building line on Hamilton Street in connection with the building that Mr. McDowell expects to construct.

Mr. McDowell stated that the light, as located by the Commissioner of Public Works at the intersection of Brooklet Street and Hamilton Street would give the residents on Hamilton Street very little benefit and suggested that this location be changed to either the intersection of Choctaw Street and Hamilton Street or in the center of Hamilton Street.

This matter, on motion, taken under advisement.

The following resolution was presented by the Mayor-Commissioner of Public Accounts and Finances, seconded by Commissioner R. J. Sherrill and all commissioners voting aye, was unanimously adopted:

WHEREAS, on July 26, 1921, the undersigned Mayor-Commissioner, was approached by a prominent citizen of Asheville, not in any way connected with the municipal government, who informed me that if I would consult Mr. A. J. Lyman, a well-known citizen of the city, that I would secure information which would show that a prominent city official had received a large sum of money for closing the trade with the said Mr. A. J. Lyman on the purchase of the property on Catholic Hill, to be used for the purpose of erecting thereon a public school building; and

WHEREAS, acting upon the information given, I got in touch with Mr. Lyman, who, to my intense surprise and indignation, informed me in substance of the facts and circumstances as follows:

That before closing the trade with the City of Asheville for the purchase of the aforementioned property, Mr. W. H. Bird called on him (namely Mr. Lyman) at his house and told him to stand pat on $8,500., but stated that the property would not be bought unless he (Mr. Bird) got something out of it. Mr. Lyman stated that he told Mr. Bird that he was very much surprised to learn that it would be necessary to pay him (Mr. Bird) a commission, but that he finally offered Mr. Bird $25\.00. Whereupon Mr. Lyman stated that Mr. Bird explained that there was nothing doing and said in substance: "Do you expect to pay me less than you do that damn negro"? Whereupon Mr. Bird left. That Mr. Bird approached him (Mr. Lyman) a second time uptown on the street and told him again to stand pat and after some discussion of the matter, Mr. Lyman agreed to pay Mr. Bird $500.00, whereupon Mr. Bird told him that the deal would go through. That he, Mr. Lyman, on the 8th day of December, 1919 gave Mr. Bird, in his (Mr. Lyman's) office a check for $50\0, and

WHEREAS, the said Mr. Lyman exhibited to me a check bearing date of December 8, 1919 in the amount of $500.00, payable to W. H. Bird and upon careful examination of said check I found the same endorsed "W. H. Bird" in the hand writing of the said W. H. Bird, and had been cashed through the bank on which it was drawn; and

WHEREAS, I, the undersigned Mayor-Commissioner, was absolutely astounded and horrified to find that any city official would condescend to accept remuneration for any service in connection with the expenditure of public funds voted by the people for the purpose of providing additional aducational facilities for the little children of our city: and

WHEREAS, believing that any city official who would be guilty of making any of the statements as enumerated above or who is connected either directly or indirectly with receiving a financial reward or reward of any other kind for a public service, which remuneration is not provided for by law, or who has knowledge of such a condition of affairs and has not divulged same is manifestly unfit to hold a public position and deserves the utmost censure and publicity.

NOW, THEREFORE, I, Gallatin Roberts, Mayor-Commissioner of Public Accounts and Finances of the City of Asheville, do hereby move that the said W. H. Bird be immediately dishonorably discharged from the services of the said City of Asheville and that a copy of this resolution be spread upon the minutes of the proceedings of the said Board of Commissioners and furnished to the public press of said city, and that the aye and nay vote by which this resolution is either adopted or rejected be recorded.

GALLATIN ROBERTS

Mayor-Commissioner of Public Accounts and Finances.

Approved as to form:

GEO PENNELL

Corporation Counsel.

One, Oliver Priestley, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following mill inspection permits were granted:

J. S. Williams	Garage	54 Annandale Ave.	Estimated cost	$.
Lula M. Gudger	5 Garages	Montford Avenue	" "	.
Jonathan Mooney	6 r. Addition	19 Frederick Street	" "	.

On motion, the same were approved.

Secretary-Treasurer.

Friday, July 29, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Lyman presiding. The minutes of the previous meeting read and approved.

Mrs. G. E. Logan requested permission to extend the sewer on Brownwood Avenue for a distance of 100 feet to enable her to connect her property to same, explaining that she was at present occupying a house and could not rent it unless it was connected to the sewer.

It was explained to Mrs. Logan that he had all of the work in the city streets was supposed to be done by the city forces and the probabilities are that if she would agree to bear the expense of the work the city could go ahead and do it, keeping account of what it cost and render her a bill for same.

This was agreed to by Mrs. Logan provided the city would do the work as cheaply as she could get it done and in order to determine this it was ordered, on motion, that the City Engineer be instructed to submit a plat showing the proposed extension of the sewer, also an estimate of the cost of same.

Mr. A. Sawyer, proprietor of the Sawyer Grocery Company, appeared before the Board and asked for some advice as to the application of the dairy law for example County enacted by the last session of the Legislature. Mr. Sawyer explained that Buncombe County did not produce enough butter for its own use and the creameries who are now shipping butter into the city, had to cease, due to their inability to prove that all of the cows furnishing their butter were tuberculin tested, this would not only create a serious shortage of butter but would soon make the price of same almost prohibitive.

It was suggested to Mr. Sawyer that he take the matter up with Dr. Bolton, who could give him all information he desired in connection with the passage of the law.

On motion, Paul Ballard, an invalid, was granted a license to operate a public drayin the city streets.

One, Willie Bloom, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

One, J. H. Wolf, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

Reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nursing Association, Swimming Pool Supervisor, Electrical Inspector, Plumbing Inspector, Building Inspector, Sealer of Weights and Measures, and the Dog Catcher were read and on motion, ordered filed.

...for payment.

On motion, the following building permits were granted:

Bill Drake	Alterations and additions	Patton Ave.	Estimated cost	$ 25.00
Simmons & Son	Store building		" "	
	Building		" "	40,000.00
T. M. Andrews	1-r building		" "	3,500.00
Mrs. J. A. Owen	Garage		" "	50.00

On motion, adjourned.

Secretary-Treasurer.

...turday, July 25, 1921-- 11 o'clock, A. M.

Mr. H. T. Ingle appeared before the Board and advised that a Florida ...company had been awarded a contract, of which he had the honor of being the ...owner, and that it was necessary to hold a meeting on Monday, August 1st, in that section of the city and that the gully or ditch being the usual stand. He requested the privilege to hold this meeting in the park, and if possible, that same be provided at once for the organization, which would ...employ about [illegible] people.

On motion, Mr. Ingle was granted the privilege requested, and the ...matter of permit was referred to the Commissioner of Public Works, who told Mr. Ingle that he would see that all facilities were provided.

Mr. Duffy Campbell appeared before the Board and explained that some time ago he had entered into negotiations with Mr. Howell to erect a hotel garage on Broadway, inside the fire limits. He stated that at the time his request was made, he went into the matter thoroughly, explaining to Mr. Howell's office the type of building he wished to erect, stating that the building was then in storage and that the building would be thoroughly inspected before action was taken on his request. He stated that two or three days after his request had been made, he recieved a building permit signed by the Inspector, Mr. Howell's name, and presuming that he had done all that was necessary to do, started the construction of the building; that he gave two or three days later, when the building was probably three-quarters finished, Mr. Howell came down to the site and stated that the building was not in accordance with the law and could not be erected; that at that time he informed Mr. Howell he had received a building permit allowing the erection of the building and that Mr. Howell left stating that he would investigate the matter; that he proceeded with the construction of the building, completing same, and that two or three days later Mr. Howell informed him that the building, not [illegible] could not stand.

Mr. Campbell went into the matter at some length, explaining that while the great conflagration of [illegible] was a brick or wooden building inside of the fire limits, so far as he was able to ascertain, the building erected by him was the first frame building that had been erected inside the fire limits since the adoption of the present law in 1915.

Mr. Campbell stated that he was willing to remove his building, which would cost approximately $[illegible], but that he should not be responsible for this additional outlay. Mr. Campbell further stated that all other buildings of the same type, which were erected since the enactment of the present law, were required to conform to the present building code.

On motion, matter was taken under advisement.

...and stated that there seemed to be considerable feeling among the property owners and other people in the city that the milk product in this county could be improved and that the Legislature regulating the sale of milk and had done away with a great deal of hardship on the consumer. He said that he had gone into the matter somewhat thoroughly and conscientiously and believed that the law was a good piece of legislation and that it would not only insure the handling of absolutely pure and wholesome milk products in this county, but would in a measure protect the producers of such products. He called attention to the fact that it would be readily under their supervision the producers of milk and milk products in Buncombe County ... their cattle tuberculin tested and to allow outside interests to ... the county without complying with the same

...regulations as are required of producers in the county.

He stated that it would probably be a few days, and he would request that the Board of City ... formally a statement either to come from the Board or as early as possible, ... the application of the law, so far as dairies in the county is concerned who have ... their certificates ... expire in the near future, stating that they would be ... a short time, ... a reasonable length of time, stating that they would be some ... opportunity to ... it ... provisions, therefore, he thought it would be a good idea ... to allow the producers of milk or milk products a reasonable ... requirements.

No action ...

On motion, the following building permits were granted:

J. A. Murray	6-r ...	[illegible]	Estimated cost	3,[illegible]
W. C. Brooks	...	54 Eloise Ct.	" "	[illegible]
W. M. & J. E. Roberts	6-rm Dwelling	Hopewood Road	" "	1,[illegible]
W. M. & J. E. Roberts	4-rm Dwelling	" "	" "	[illegible]
Glen Inglis & Co.	5-r Dwelling	344 Biltmore Ave	" "	[illegible]
C. B. Rubin	... Building	S.F.Broad & Phifer	" "	[illegible]

On motion, ... approved.

Secretary-Treasurer.

Monday, August 1, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, one, Moore Johnson was granted a license to ... gratis.

The Commissioner of Public Works reported that as head of the Health Department, he had made an engagement with the Board of County Commissioners, Senator Monroe Irwin and Mr. J. W. Haynes to meet with the City Commissioners this afternoon at 3 o'clock, for the purpose of discussing the act passed at the last session of the General Assembly regulating the sale of milk or milk products in Buncombe County.

The report of the Chief of the Fire Department showing activities in this department for the month of June 1921 was read to the Board and, on motion, ordered filed.

On motion, adjourned.

Secretary-Treasurer.

Tuesday, August 2, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The application of one, Mr. Burlison for refund of a license tax granted one P. P. Ingle, to sell cigars, cigarettes and tobacco at 425 Biltmore Avenue, was on motion, respectfully refused.

On motion, permission was granted the Walter L. Main Circus to exhibit in Asheville on August 22nd on the payment of the license tax prescribed by law.

The application of one, H. R. Rubin for permission to construct a store building on the corner of Phifer Street and French Broad Avenue without regard to the building line of fifteen feet on French Broad Avenue, was on motion, taken under advisement; the Board deciding to go over the ground and investigate the conditions in person.

On motion, the Presbyterian colored church was granted permission to sell certain fancy lace in the interest of the work of that church.

Several property owners appeared before the Board and called attention to the fact that the entrances to certain streets on Forest Hill Drive were on very bad condition, almost impassable, and asked that some action be taken to give them relief from the condition complained of.

This matter, on motion, taken under advisement; the Board agreeing to go over the ground in person at 4 o'clock this afternoon.

A resolution presented by the Commissioner of Public Works, authorizing him to extend the present 6 inch sewer line on Brownwood Avenue 135 feet; the money for this work to be advanced by Mrs. W. E. Logan, was, after being duly seconded, unanimously adopted.

WHEREAS, in the opinion of the Board of Commissioners of the City of Asheville, it is necessary to extend the 6 inch sewer line on Brownwood Avenue 135 feet from its present terminus in order to accommodate houses now being constructed on said street; and

WHEREAS, Mrs. W. E. Logan, the owner of one of the houses being constructed, has proposed to furnish the money necessary to extend the said sewer line, conditioned upon cost of said sewer line being pro-rated against the property benefitted and the money so advanced by her, with the exception of the pro-rata cost of the said sewer line due to be assessed against her individual property, being refunded to her as fast as collected.

NOW, THEREFORE, Be it resolved by the Board of Commissioners of the City of Asheville that the Commissioner of Public Works be and he is hereby instructed to extend the present 6 inch sewer line on Brownwood Avenue 135 feet from its present terminus with the understanding that the money necessary to make the said improvement will be advanced by Mrs. W. E. Logan.

Be it further resolved that the cost of said sewer line be pro-rated against property benefitted in accordance with the existing law and that as assessments against said property are collected, that same be turned over to Mrs. W. E. Logan to reimburse her for the money advanced.

I move the adoption of the foregoing resolution, this the 2nd day of August, 1921

"R. J. Sherrill"
Commissioner.

Approved as to form:

John Powell
Corporation Counsel.

On motion, the following building permits were granted:

W. C. Greenwood	5 rm House	Haywood Drive	Estimated cost	"	$4,500.00
Mrs. A.S.Luckett	Garage	51 Lawrence Place	"	"	800.00
L. L. Davenport	2 rm House	Westwood Place	"	"	400.00
C. H. Parks	Garage	33 Baird Street	"	"	300.00
C. M. Ivers	Chicken House	33 Baird Street	"	"	75.00
[illegible] E. Pritchard	Repairs	153 Haywood Road	"	"	150.00
[illegible]	4 rm House	Beaver Street	"	"	1,200.00
H. [illegible] Sides	[illegible]	Haywood Road	"	"	4,000.00
S. C. Martin	[illegible] House	Victoria Avenue	"	"	4,000.00
J. A. Greer	8 rm House	Corner of Monterey & Property	"	"	800.00
J. [illegible] Fisher	1 rm Addition	46 Clyde Street	"	"	75.00
M. C. Beale	[illegible] House	[illegible]ylvania Ave.	"	"	1,000.00
J. [illegible]	1 rm [illegible]	Truxtun Street	"	"	550.00
Mrs. Maud Baker	Repairs	11 Baxter Street	"	"	50.00
W. F. Green	4 rm House	28 Craven Street	"	"	200.00

ELECTRIC

A resolution presented by Commissioner R. J. Sherrill, authorizing him to construct a 6" sewer line on Electric Street was, after being duly seconded, duly adopted.

WHEREAS, in the opinion of the Board of Commissioners of the City of Asheville it is necessary that a 6 inch sewer line be constructed on Electric Street in the City of Asheville:

NOW, THEREFORE, Be it resolved that the Commissioner of Public Works be and he is hereby instructed to construct a 6 inch sewer line on Electric Street, the cost of same to be pro-rated against the property benefitted in accordance with the law in such cases made and provided.

I move the adoption of the foregoing resolution, this the 2nd day of August, 1921

R. J. SHERRILL"
Commissioner.

On motion, adjourned

[illegible] Treasurer

Wednesday, August 3, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding.

The minutes of the previous meeting read and approved.

[illegible]

The complaint of Mrs. C. A. Hobard that she had been charged more on account of the construction of the Michigan Avenue sewer than her property was benefitted, was on motion, taken under advisement; the Board agreeing to go over the ground and investigate the conditions in person.

[illegible]

The application of one E. F. Frisbee for free license to sell meats, cigars and tobaccos in the city on account of being a discharged soldier, was on motion, taken under advisement; Mr. Frisbee being requested to take the matter up with the Board of County Commissioners relative to the exemption of the county tax before the Board act on the matter of the city tax.

[illegible]

Interested property owners filed a petition objecting to the erection of a store building on the Walter Green property located on the corner of French Broad Avenue and Phifer Street by one J. R. Rubin and requested that his application for a permit be refused.

Messrs. J. H. Sullivan and J. H. Wood, representing property owners, called attention to the fact that there was considerable traffic on French Broad Avenue and that Phifer Street was extremely narrow, and this building being constructed at the intersection of these two streets would considerably increase the hazzard.

Mr. Rubin stated that he thought the property owners signing the petition did so under a misapprehension, not knowing the type of building he expected to construct, which he stated instead of decreasing would increase the value of property in that vicinity.

The Commissioner of Public Works, upon being called on for report, stated that at the request of the Board, he had viewed the situation in person; that the lot on which it is proposed to construct the store building is 42 feet on South French Broad Avenue and 32 feet on Phifer Street; that at present there is a building line on French Broad Avenue of 15 feet from the street, allowing Mr. Rubin only 18 feet on which to build. He stated that the building, as he saw it, even if Mr. Rubin set it back a sufficient distance from the street, would, due to the loading and unloading of trucks either on French Broad Avenue or Phifer Street, constitute a very dangerous hazzard and that taking the amount of traffic on South French Broad Avenue and the narrowness of Phifer Street into consideration he would respectfully recommend that the Board disallow Mr. Rubin's request for permission to erect a store building on the low in question.

At the request of Mr. Rubin the matter was continued until the regular meeting of the Board on August 4th, in order that Mr. Rubin's attorney, Judge J. Frazier Glenn might be heard in regard to the matter.

(Copy of petition)

Asheville, N. C. August 2nd, 1921

TO THE HONORABLE BOARD OF CITY COMMISSIONERS:
OF THE CITY OF ASHEVILLE, NORTH CAROLINA.

We the undersigned Residents and property owners of South French Broad Avenue, of the City of Asheville, N. A. Do hereby petition your honorable body, to not grant permit or allow the erection of a store building, on the Walter Green property, on the corner of French Broad Avenue and Phifer Street.

We feel that his building will injure the value of our property, and be detrimental to this section as a residental section, with the erection of a store on this site.

R. S. Finley
W. P. Ballew
S.C. Waddell
Guy A. Morris
H. C. McDowell
W. C. Moore
C. R. Perry
C. M. Swicegood
J. W. Gibbs
Mrs. T. R. Burnett
Mrs. Matilda Hough
J. H. Wood
Mrs. Welfley
James H. Merrimon
per J. C. M.
O. M. Grantham
F. O. LaFerris
J. H. Sullivan
J. W. Eidson
W. P. McCallister
C. Burt
E.E. Herman
R. R. Cline
R. E. Claevinger
W. H. McLean
R. J. Simpson
W. B. Burgin
R. M. Booser
C. F. McHarge
Tha Wrafield
Mrs. D. L. Brawley
Mrs. E. A. Wilson
Mr. A. C. Enloe
J. E. Divelbiss
J. T. Tomlin
W. L.Black

Attorney Burgin Pennell, representing one Earl W. Eller, filed claim for damages to an automobile owned by Mr. Eller in the amount of $53.78 account of the city's truck backing into the said automobile.

This matter, on motion, ordered referred to the Commissioner of Public Works and the Corporation Counsel for investigation and report.

(Copy of claim)

Honorable Mayor Commissioner and Board of Commissioners,

City of Asheville, North Carolina:

You are hereby notified that Earl W. Eller, a citizen and resident of the City of Asheville, N. C. claims damages from the City of Asheville, for property damages in the sum of Fifty-three and seventy-eight one-hundredths ($53.78) Dollars, as shown by attached statement, said damages accuring on the second day of July, 1921, on Depot Street in the City of Asheville by reason of an automobile accident; said accident or collision accuring because of the negligent backing without warning of a City Truck, operated by a Mr. Shelton, an employee of said City of Asheville, into the car operated and owned by said Eller, when said Eller's car was at a standstill, thereby damaging Mr. Eller's car to the extent above mentioned.

Earl W. Eller

By Fred L. Sale and
Burgin Pennell, Attorneys.

The claim of Mrs. Eliza Crane in the amount of $452.15 account of personal injuries alleged to have been sustained by the said Mrs. Crane being run over by one of the sanitary trucks of the city, was presented to the Board, and on motion, ordered referred to the Commissioner of Public Works and the Corporation Counsel for investigation and report.

A resolution adopting a map or plat showing the zone of benefits on account of the construction of a sewer line from Horney Heights to Hominy Creek, and appointing Mr. B. M. Lee, special agent for the City to confer with interested property owners with reference to securing a right-of-way for said sewer, was presented to the Board, and on motion, adopted.

WHEREAS, in the opinion of the Board of Commissioners, it is necessary that a sewer line be constructed from Horney Heights to Hominy Creek; and

WHEREAS, the City Engineer has presented a map or plat showing the property to be served by said sewer line.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Asheville that a sewer line be constructed from Horney Heights to Hominy Creek.

BE IT FURTHER RESOLVED, that a map or plat submitted by the City Engineer, showing the property benefitted by said proposed improvement, be adopted as the zone of benefits.

BE IT FURTHER RESOLVED, that Mr. B. M. Lee, City Engineer, be appointed Special Agent for the City, to confer with interested property owners in an effort to secure a right-of-way for said proposed sewer line.

I move the adoption of the foregoing resolution, this the 3rd day of August, 1921.

"R. J. Sherrill"
Commissioner.

Approved as to form:
"Geo Pennell"

Corporation Counsel.

On motion, it was ordered that the notes of A. A. Hamlett, now held by the City of Asheville on account of property bought by Mr. Hamlett for non-payment of taxes, be credited to the amount of $189.23 uncollectable items included in said amount so purchased by the said Mr. Hamlett.

		9/24/19	$5.47	"	6.02
979	Allison, J.	10/7/17	7.00		8.54
641	Davis, Mrs Richard	9/24/19	1.44		1.58
883	Creasman, L. H.	9/24/19	6.10		6.72
940	Commons, Violet Est.	10/5/20	6.10		6.35
1086	" " "	10/7/17	4.15		5.07
552	Grant, [illegible]	10/7/18	4.15		4.79
729	" "	9/24/19	4.57		5.04
865	" "	10/5/20	4.57		4.76
997	" "	10/7/18	18.15		21.04
795	Harvey, W. T.	9/24/19	1.85		2.05
892	Hipps, Anna	9/24/19	6.35		6.77
921	Haney, J. T.	10/5/20	6.10		6.35
1002	Hunter, Clarriesa	10/5/20	1.85		1.94
1030	Hipps, Anna	10/7/17	4.44		5.33
649	Ingle, E. E.	9/24/19	2.78		3.07
897	Jones, G. S.	9/24/19	6.35		7.02
898	Justice, E. L.				5.81
847	Morris, Julia V.	9/24/19	4.04		4.45
868	Moore, Arthur J.	9/24/19	1.90		2.11
870	Moore, Thos. J.	9/24/19	4.57		5.04
972	Orr, A. J.	10/5/20	4.57		4.76
1007	" "	9/24/19	31.60		34.84
851	Ray, E. L. Jr.	10/5/20	6.10		6.35
1074	Roberts, Dave	10/7/17	1.79		2.19
671	Sumner, Sallie	9/24/19	7.80		8.60
910	Sluder, Erwin	10/5/20	2.27		2.36
1080	Watts, D. J.				
745	Young, W. G. & J. G.	10/7/18	8.88		10.32
					189.23

One, Charlie Redmon, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved; his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

F. O.Cox	Poultry House	7 Merrimon Avenue	Estimated cost	$ 50.00
Wm. Bailey	4-rm House	Mountain Street	" "	975.00
Susie Downs	Recover House	154 So. Beaumont St.	" "	70.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, August 4, 1921 -- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

J. R. RUBIN--

Attorney J. Frazier Glenn appeared before the Board and went into the proposition of Mr. Rubin's request for permission to construct a store building at the intersection of South French Broad Avenue and Phifer Street at some length, however, when Judge Glenn had completed his argument Mr. Rubin advised that due to objections raised by other property owners in that section, he had decided to change his application and ask for permission to erect a residence in place of the store building, therefore, the matter was dropped.

FOREST HILL DRIVE --[illegible] SEWER -- M. LIPINSKY.

The complaint that the manhole into the storm sewer in the sidewalk in front of the Lipinsky property on Forest Hill Drive was covered with rotten planks instead of a regular cast iron cover, was on motion, referred to the Commissioner of Public Works.

On motion of the Superintendent of City Schools, the following appointments were made to fill vacancies existing in the teaching corps:

August 4, 1921.

To the City Commissioners,
Asheville, N. C.

Dear Sirs:

I wish to recommend the following teachers for election to vacancies now existing in our corps:

High School:

Assistant Principal, High School, C. B. Hyatte

Mr. J. Boyce Bigham, Chester S. C. (Latin)
Mr. Henry D. Aston, Honaker, Va. (History)

Grades:

Miss Kate Lowry, Clifton Forge, Va.
Miss Lydia E. St. John, Bristol, Tenn.
Miss Mary McKee Simmons, Lexington, Ky.

Mr. [illegible], Manual Training, Grades

Very truly yours,

W. L. Brooker

Superintendent City Schools.

One, Grover Ledbetter, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Sam Smith	Fruit Stand	Beack St.	Estimated cost	$ 20.00
Wm. Smith	3-rm House	Mountain St.	" "	400.00
C. E. Brannon	Repairs	38 Carter St.	" "	300.00
T. M. Pruitt	3-rm House	Midland Ave.	" "	300.00
C. G. Luther	Recover House	225 S. Grove St.	" "	225.00
M. A. Ingle	Garage	280 Haywood Rd.	" "	50.00
J. T. McMahon	Dwelling	Cumberland Ave opp. Montford Pk	" "	4,000.00
Jas. H. Cope	173 Hillside St.	Repairs	" "	290.00
C. V. Callahan	Porch	68 Hall St.	" "	40.00
Jno. J. Shipley	2-rm House	Swannanoa Ave.	" "	100.00

[illegible]tion, adjourned

H. Stevens

Secretary-Treasurer.

Thursday, August 5, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding.

The minutes of the previous meeting were read and approved.

S. L. Roberts--

The request of Mr. S. L. Roberts that he be allowed to construct a residence fronting Linden Avenue at its intersection with Annandale Avenue nearer to the street line than the twenty foot building line established by the Board, was, on motion, taken under advisement; the Board agreeing to go over the ground and investigate conditions in person.

W. G. Jenkins--

The complaint of one W. G. Jenkins, that the expense of connecting his property with the Nevada Avenue sewer would be in excess of the cost of connecting other property benefitted by this sewer, and his request for an exemption of a part of the amount charged against his property on account of the construction of this sewer for this reason, was, on motion, referred to the City Engineer for investigation and report.

C. F. FRISBEE--

On motion, one C. F. Frisbee, a disabled soldier, was granted a rebate of one-half the license tax levied on the business of the sale of fresh meats, cigars, cigarettes and tobacco.

W. A. THOMAS--PEDDLER.

The request of one, W. A. Thomas, a disabled soldier, that he be granted permission to demonstrate and sell collar and cuff buttons on the public streets of the city, was, on motion, refused, it being explained to Mr. Thomas that an ordinance of the city prohibited this business on public property, however, he was assured that if he could secure a stand on private property the Board would have absolutely no objections.

[illegible] REFUND OF SPECIAL LICENSE TAX.

On motion, it was ordered that Isam Powell be refunded three-quarters ($12.75) of the amount of the license tax paid by him to conduct a restaurant and to sell ice cream at 86½ Eagle Street.

This action taken on Powell's statement that he had abandoned the business.

[illegible]GHTS--

Mr. B. M. Lee, Special Agent for the City, reported that in connection with the proposed construction of a sewer line extending from Horney Heights to Hominy Creek, he had secured an agreement with all the property owners for right-of-way for said proposed improvement with the exception of Mr. Ralph Carrier, Mr. Pate and the Asheville Power & Light Company.

This matter, on motion, taken under advisement.

PUBLIC HEALTH NURSING ASSOCIATION--[illegible]

On motion, the Purchasing Agent was authorized and instructed to investigate the possibility of trading in the Overland car now used by the city nurses for a Ford roadster and report the result of his investigation to the Board.

[illegible] SEWER.

The City Engineer's report showing the total and pro-rata cost to property owners on account of the construction of a six inch pipe sewer on Moody Avenue, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection:

June 25th, 1921
6" Pipe Sewer
Moody Avenue

Labor		$387.75	
485 ft 6" pipe	.16½	70.03	
11 bags Cement	.80	8.80	
2800 Brick (old)	8.00	22.40	
Manhole Frames & Covers (4)	12.00	48.00	
2 yds Sand	1.65	3.20	
Advertising Stationery, etc.		20.00	
Engineering		36.31	$ 596.59

Assessed Property Owners.

Lot No.	Name	Feet	Price	Amt.
60	Grover T. Case	58	.776	45.01
61	Laura Alexander	58	"	45.01
62	Mrs. A. T. Hall	58	"	45.01
62½	W. W. Leatsch	13	"	10.09
62½	H. F. Jones	51	"	39.57
63	W. W. Leatsch	50	"	38.80
63½	Geo. Whitaker	56	"	43.46
63½	Mrs. Mary Graham	57.3	"	44.46
63	Geo. Whitaker	61	"	47.34
64	A. J. Fitzgerald	61	"	47.34
65	C. J. Miller	61	"	47.34
66	J. M. Kirkpatrick	61	"	47.34
67	C. L. Cressman	61	"	47.33
68	Ellen Lester	62.5	"	48.50
				596.59

P. M. Lee, City Eng.

The City Engineer's report showing the total and pro-rata cost to property owners on account of the construction of a six inch pipe sewer on Nevada Avenue, or Brewer Street, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection.

June 25, 1921
6" Pipe Sewer
Nevada or Brewer St.

Labor		559.12
765 ft. 6" Pipe	.16½	126.23
12 bags Cement	.80	9.60
3200 Brick (Sale)	8.00 M	25.60
3 Manhole Frames & Covers	12.00	36.00
5 yds Sand	1.65	8.30
Advertising, Stationery, etc.		20.00
Engineering		42.60
		822.45

Lot No.	Name	Feet	Price	Amt.
4	P. J. Anders	90.2	.584	62.67
5	" " "	47.5	"	27.74
6	Hugh C. Hall	47.5	"	27.74
7	M. T. Johnson	95	"	55.48
8	" " "	90	"	52.56
9	R. L. Parker	114	"	66.58
9½	Jas. R. Coffee	55.5	"	32.41
10	Mrs. E. M. Stevens	54.5	"	31.83
11	" " "	54.5	"	31.83
12	M. G. Jenkins	55.6	"	32.47
13	Mrs. Geo Merton	90	"	52.56
14	W. T. Moffett	125	"	73.00
15	Mrs. Mary Miller	65	"	37.96
16	L. D. Shelton	160.5	"	93.73
17	J. T. Holcombe	58	"	33.87
17½	J. L. McHone	42	"	24.53
18	Mrs. S. Fisher or W. W. Hosier	54.5	"	31.83
19	R. E. Potter's	54.5	"	31.83
20	R. M. McLarry	54.5	"	31.83
				822.45

P. M. Lee, City Eng.

Reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nursing Association, Swimming Pool Supervisors, Plumbing Inspector and Dog Catcher were read, and on motion, ordered filed.

All weekly payrolls were approved for payment.

On motion, the following building permits were granted:

E. L. Bishop	Garage	Cor. Hillside and Clyde Sts.	Estimated cost	$ 40.00
Jas. R. Teague	5-rm House	Michigan Avenue	"	2,000.00
H. R. Rubin	5-rm House	S. Branch Road & Phifer	"	2,500.00
J. H. Bossee	Garage	6 Pine Grove Avenue	"	30.00
F. H. Jordan	Garage	30 Chestnut St.	"	50.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, August 6, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. Rufus W. Babcock appeared before the Board and explained that a company in which he was interested rent Ford cars for hire without a chauffeur and asked whether or not the special license fee levied by the city would apply in this case.

This matter, on motion, referred to the Corporation Counsel for investigation and report.

Mr. J. T. Horney appeared before the Board and stated that in view of the fact that some of the property owners owning property through which it is proposed to construct a sewer line extending from Horney Heights to Hominy Creek, were out of the city and it would be almost impossible to get in touch with them, he would request that the Board start condemnation proceedings, looking to the condemnation of the land necessary for a right of way for said line.

He also asked that the city extend the 4 inch water line on Hayward Road to the entrance of the Sulphur Springs property on top of the hill, explaining that he would then connect the water line supplying his property with this main.

The proposition of extending the water line in accordance with Mr. Horney's request was, on motion, referred to the City Engineer for estimate of the cost of the proposed improvement.

With reference to the condemnation of the land necessary to construct a sewer line, it was ordered, on motion, that the Mayor issue his writ for a jury to condemn a right of way through private property necessary for the construction of a sewer extension from Horney Heights to Hominy Creek.

One, Winston Davis, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

Weekly reports from the Electrical Inspector and Building Inspector were read, and, on motion, ordered filed.

On motion, adjourned.

Secretary-Treasurer.

Monday, August 8, 1921- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

The request of one F. W. Scott, that the City provide sewer and water accommodations for his lots lying east of the Walker property on Horse Shoe Curve, and also his request that if the City cannot see its way clear to provide him with the sewer accommodations, that he be granted permission to erect a dry closet, was, on motion, referred to the Commissioner of Public Works and the City Engineer for investigation and report.

Attorney Spears Reynolds, representing one J. L. Blomberg, filed objections to the parking in front of his client's place of business (Emporium) on Pack Square, claiming that the present way of parking not only obstructed his client's show windows but was in violation of the law and increased the fire hazzard in view of the fact that the cars paid absolutely no attention to the state law regulating parking within fifteen feet of a fire plug. He also stated that absolutely no attention was being paid to the city ordinance prohibiting the parking of public service automobiles at this location.

The Commissioner of Public Safety advised Mr. Reynolds that he would have the Chief of Police carry out the law.

A petition, signed by residents and property owners of South Asheville, requesting that the City furnish them with water connections and electric lights, also the statement of one, Harold Hemphill, who resides in this section, that the sanitary wagon

property sites for the vicinity, was on motion, referred to the Commissioner of Public Works and the City Engineer for investigation and report.

Asheville, N. C.
Aug. 2nd, 1921

TO THE HONORABLE COMMISSIONERS,
OF THE CITY OF ASHEVILLE, N. C.

GENTLEMEN:

WE, THE UNDERSIGNED RESIDENTS AND PROPERTY OWNERS OF SOUTH ASHEVILLE, RESPECTFULLY REQUEST THAT YOU HAVE A WATER LINE AND ELECTRIC LIGHTS RUN IN THIS SECTION OF THE CITY.

Samuel S. Patton
Schofield Miller
Joseph G. Lance
Jock Southers
Rachel Gray
Harold Hemphill
Julia Brown

The opinion of the Corporation Counsel with reference to the application of the license tax assessed wholesale produce dealers was read to the Board, and on motion, ordered filed.

August 6, 1921.

To the Honorable Mayor-Commissioner and
Board of Commissioners of the City of Asheville.

Gentlemen:

In Re: Wholesale Produce Dealers

In reply to your communication of the 26th ultimo requesting a legal opinion on the wholesale produce dealers license tax, I have to advise that a wholesale dealer is defined as "One whose business is the selling of goods in gross to retail dealers and not by the small quantity or amount to consumers thereof". State vs. Lovenhaught, 79 Tenn. (11Lea) 662, 665. A dealer is defined as "One who make successive sales as a business". Overall vs. Pezeau, 27 Michigan, 506. The latest interpretation by the courts of the term Wholesale Dealers is in State vs. Sepco, 127 Louisiana on page 336. The primary or usual meaning of the word wholesale is the sale of goods in gross retailers who sell to consumers.

Predicated on the above legal difinitions, I am of the opinion that any person who makes it a business of selling to retailers for the purposes of re-selling to consumers should pay the license tax prescribed for in your Tax Ordinance, and specifically answering the questions set forth in your letter, I have to advise:

First. That I am of the opinion that peddlers disposing of produce primarily purchased for sale to the consumers or retailers for re-selling who make a business or practice thereof, is liable for the tax.

Second. "Retailers who in order to help out a brother retailer furnishes him, say for instance, a crate of canteloupes or other fruit products for sale to consumers", I do not think that this comes within the purview of the meaning of the Ordinance unless the retailer made a business of selling wholesale to other retailers.

Third. "Farmers bringing food products into the City and disposing of same to consumers"- If the farmer makes a business of bringing food products into the City and sell them to the retailer who in turn disposes of the products to consumers, the farmer is liable for the tax prescribed by your Honorable Board.

Very respectfully,

Geo Pennell

CORPORATION COUNSEL.

August 6, 1921.

To the Honorable Mayor-Commissioner
and Board of Commissioners of the
City of Asheville.

Gentlemen:

Replying to your communication of the 26th ultimo, requesting a legal opinion upon whether a partnership composed of two parties, one of whom was a resident, the other a

non-resident, should be charged the license tax assessed against a resident wholesale dealer or the license tax assessed a resident assessed against an itinerant wholesale dealer, I have to advise that I am of the opinion that the partnership set forth above should be charged the license tax assessed against the resident dealer.

Very respectfully,

Geo Pennell

CORPORATION COUNSEL.

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The opinion of the Corporation Counsel, in which he states that the concern mentioned by Mr. Rufus Woodcock, who rents Ford automobiles without chauffeurs, is liable for the license tax assessed on motor vehicles for hire, was read to the Board and on motion, ordered filed.

August 7, 1921.

To the Honorable Mayor-Commissioner
and Board of Commissioners of the
City of Asheville,
Asheville, N. C.

Gentlemen: In Re. Rufus Woodcock--Ford cars for hire.

In reply to your request of even date for legal opinion on the above mentioned matter, I have to advise that the tax ordinance for the year 1921-22 provides for a special license tax according to a graduated scale as set forth on page 32 of the City Ordinance.

"On every person, firm or corporation who keeps motor vehicles for hire, who listed a poll tax or property for taxation in Buncombe County."

The word hire was defined by the Supreme Court of North Carolina in the case of Bledsoe vs. Nixon, 69-89 at the June term of said court 1873 as follows:

"Hire is the price agreed to be paid for the use of a horse or other article of personal property".

Applying the definition above set forth to the tax ordinance aforementioned, I am of the opinion that any person who keeps a motor vehicle and is paid for the use of the same, a reward or compensation, is subject to the license tax prescribed in the tax ordinance aforesaid.

Very respectfully yours,

Geo Pennell.

Corporation Counsel.

JOHN JONES--PUBLIC CHAUFFEURS LICENSE.

One, John Jones, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

JAMES R. COLE--PUBLIC CHAUFFEURS LICENSE.

One, James R. Cole, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Z. T. Ledbetter	3-rm House	Ledbetter Street	Estimated cost	$ 500.00
Dr. Jere Cooke	6-rm Office Bldg.	Haywood Street	" "	7,[illegible]
J.C.Coke Foster and W. E. Strider				
J. C. McKenzie	2-rm Business "	20 Montford Ave.	" "	6,000.00
W. M. Gibson	3-rm House	Hillside Street	" "	500.00
J. B. Herman	3-rm House	Weaver Street	" "	2[illegible]
B. L. Taylor	Repairs	141 Biltmore Ave.	" "	3[illegible]
	3-rm House	West Asheville	" "	3[illegible]

On motion, adjourned.

Secretary-Treasurer.

Tuesday, August 9, 1921.--11 o'clock A.M.

[illegible] regular session, Mayor Robe[illegible] presiding. The minutes of the previous meeting were read and approved.

The application of Mr. [illegible] F. Lee for a building permit to remodel and remove the house [illegible] intersection of Patton Avenue and Ann Street, was [illegible] that he expected to move the house [illegible] Patton Avenue and to be a greater distance from the [illegible] as at present located.

Judge C. [illegible], representing Mr. Everett Hamilton, asked that the [illegible] confirm an order passed by the said Board on May 8, 1914, [illegible] thousand gallons for water used in the laundry [illegible].

It was explained to the Board that the water rents of the City of Asheville had been equalized [illegible] which placed all consumers of city water [illegible] all being required to pay the same rate.

Architect E. E. [illegible] submitted supplementary plans and estimate of the proposed [illegible] Catholic Hill, which were, on motion, taken under advisement.

Application for permission to operate a picture camera on the streets of the City, [illegible], referred; the applicant being advised that the City now has an [illegible] and [illegible] on the streets.

On motion, [illegible] was granted refund of one-quarters of the special [illegible] paid by him, to sell soft drinks, cigars and tobacco [illegible].

An ordinance amending an ordinance assessing a special tax on wholesale [illegible], was on motion, passed on its first reading.

A petition, signed by property owners on Carter street protesting against the granting of a building permit to the Asheville Ice Company for the construction of a garage on Carter street on the ground that it would be a nuisance, and would damage all property in that section, was on motion, ordered filed; no application for the said permit having been made.

Asheville, N. C. Aug. 6, 1921

To the Honorable Mayor and Commissioners of the City of Asheville.

The undersigned property owners on Carter St feel sure that a garage or stable which it is [illegible] to be erected on Carter St by the Asheville Ice Co. or its agents would be a nuisance and would damage all property in that section.

Therefore we petition the Hon. Mayor and Commissioners of Asheville to refuse to grant the permit to erect a stable or garage on said street.

C. [illegible] Reeves	C. [illegible] Reeves
[illegible]	C. M. Brannon
[illegible]	Mary J. Smith
[illegible]	M. B. Brown
[illegible]	N. L. Smith
J. [illegible]	N. M. Smith
Mrs. [illegible] Fitzpatrick	A. T. Watson
Mrs M. Brasstle	Susie R. Carter
James A. Logan	Caleb Leonard to house
E. [illegible] Fitzpatrick	Mrs. J. P. Powell
J. W. [illegible]	Mrs. George Murphy
Mrs. C. L. Franklin	W. L. Teasley
Mrs. W. T. Crook	
Mrs. Carl Gregory	
Mr. Carl Gregory	

On motion, it was ordered that the application of the Mountain City Laundry for refund of the excess water rent paid by them at 30 Lexington Avenue, be respectfully refused; same not being recommended by the Water Superintendent.

(Copy of 1111)

ASHEVILLE [illegible]
[illegible]

Name Mountain City Laundry

Address #30 Lexington Ave

Bills Claimed Excessive:

5th	$59.05
4th	60.02
Total	119.07
Less Average Bill	97.95
Excess Bills	21.12

Rebate allowed by Board of Commissioners at [illegible] meeting

on _____ 192__---$_____

_____
Secretary-Treasurer

[illegible] a refund of

On motion, one L. Blomberg was granted one-half of the excess water rent paid on his building 250 Smith Street. ($35.75)

[illegible]

On motion the following refunds of water rents were allowed:

Name	Address	Excess	Refund
S. A. Barbee	5075 Hayward Rd.	17.91	8.95
Eugene Murrough	36 Short Madison [illegible]	7.62	3.81
O. D. Stinchcomb	27 Clyde St	4.91	2.45
T. K. Darrough	292 Eagle St	1.61	.80
Dr. M. E. Fletcher	30 Hill St.	7.84	7.92
Thos. Walker	86 Hill St.	5.10	2.55
J. H. Starnes	23 Hill St.	8.51	4.25
Judge Lynch	31 Brooklyn Hollow	2.70	1.35
G. W. Solsby	98 Jefferson Drive	9.62	4.81
W. T. Weaver	78 Patton Avenue	30.90	15.45
Martha Clements	43[illegible] Chestnut St.	3.60	1.80
R. L. Jones	46 Chestnut St.	3.65	1.72
R. H. Wheaton	[illegible] Chestnut St.	3.70	1.85
G. W. West	362 Broadway	4.43	2.21
Mrs. Mary P. [illegible]	157 Church St.	1.40	.70
B. M. Smith	30 Ora Street	7.45	1.72
John Hicks	29 Richie St.	9.42	4.71

[illegible]

On motion, the following building permits were granted:

Geo. E. Lee	Moving & Improving House	195 Patton Ave.	Estimated cost	$ 1,000.00
M. D. Sprinkle	8 room House	Cumberland Cir.	" "	5,500.00
J. W. Hopkins	5 room House (rear)	176 Hill St.	" "	4[illegible]
Marie A. Clark	Repairs	43 Martin Avenue	" "	1[illegible]
J. C. Pierce	Repairs	185 Patton Ave.	" "	[illegible]
Thurman Palmer	4 room House	Lefty Street	" "	1,5[illegible]
J. K. Robinson & Sons	5 room House	Woodrow Avenue	" "	2,[illegible].00
" " "	" " "	" "	" "	2,15[illegible].00
Jno. Renfro	6 room House	115 Hillside St	" "	2,5[illegible]
H. V. Hipps	5 room House	Virginia Avenue	" "	3,5[illegible].00

On motion, adjourned.

Secretary-Treasurer.

...day, August 10,1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. S. Sternberg appeared before the Board and explained that about nine months ago the city purchased a piece of property on Bartlett Street, for which he had deliv red the deed, and on which the city had been collecting rent for the past six months, however, he had never been paid for same, and asked that the matter be settled at once.

...explained that the reason Mr. Sternberg had not been paid for the property was that the City Attorney had never approved the title, however, it was ordered, on motion, that the City Attorney present his report of the present status of the title to the Sternberg property at once.

...tion of the Commissionor of Public Safety, it was ordered that one A. V. Hipps be refunded $3.25, the difference between a building permit for a business house and residence.

One, J. E. Wise, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

An ordinance amending the ordinance levying and assessing a special tax on wholesale produce dealers, was on motion, passed on its second reading.

On motion, the following building permits were granted:

Mrs. Nellie Murray	Garage	129 Pearson Drive	Estimated cost	$ 300.00
J. C. Deshler	4 rm House	Robindale Avenue	" "	2,300.00

...motion, adjourned.

Secretary-Treasurer.

Thursday, August 11, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

Mr. J. H. Reed appeared before the Board and explained that at the time Broadway was paved he paid for a water connection to Lot #38; that since that time he had constructed a house on the lot and on calling on the Water Department, to make the connection, the Water Superintendent had refused to make same until he paid the sum of $15.00 for the work. He asked whether or not he would be required to pay for this connection twice.

This matter, on motion, referred to the Commissioner of Public Works.

The complaint of one, Dr. Flowe that a house was being erected on College Park Place nearer the street than the distance prescribed by the building line, was on motion, referred to the Building Inspector for immediate investigation and report.

The request of the Dixie Poster Advertising Company for permission to move the billboard now located at Broadway and Woodfin Street, to Patton Avenue and Grove Street, and move the billboard located on Depot Street near the Southern Railroad station across the concrete bridge on the west side of the French Broad River, was presented to the Board.

On motion of the Commissioner of Public Works, it was ordered that the request of the Dixie Poster Advertising Company to move the billboard located on Depot Street to across the concrete bridge on the west side of the French Broad River, be granted, however, on his recommendation the request to move the billboard located at Broadway and Woodfin Street to Patton Avenue and Grove Street was, on motion, taken under advisement.

From R. E. Workman, Mgr., Asheville, N. C. Date 8/11/21

To Board of Commissioners

Subject Change in location of two billboards.

To the Honorable Board:
Dear Sir:

Permission is hereby asked to allow The Dixie Poster Advertising Co. to change the location of two of it's billboards. Namely;
(1) To move the billboard now located at Broadway & Woodfin St. to Patton Ave. & Grove St.

(2) To move the billboard now located on Depot St. near Southern Station to West Asheville at Concrete Bridge. This board to be placed on the back side of the board that is already at the above location, making it a double faced billboard so as to show to the Concrete Bridge.

...pectfully submitted,

THE DIXIE POSTER ADV. Co.,

R. E. Workman, Mgr.

...TH ASHEVILLE.

The report of the City Engineer showing the estimate of the cost of providing certain citizens in South Asheville with water, sewer and electric lights, was presented to the Board, and on motion, ordered filed.

Aug. 11th, 1921.

The Hon. Mayor & Commissioners:

I hereby report that to comply with the request of certain citizens of South Asheville that the City install in their section, sewer, water, and electric lights, will require the laying of about 900 feet of 4" water pipe; about 1300 feet of 6" sewer, and about 700 feet of electric wires.

Estimated cost

6" sewer 1300 ft & manholes	$ 850.00
4" Water line pipe 900 ft of Pipe & 1 Hydt	750.00
Electric light & 700 ft of line	

Very respectfully

E. M. Lee, City Eng.

The above will serve seven families in the city and two or three just outside.

E. M. Lee.

The application of one, R. B. McIntosh, for permission to peddle toilet articles in the city, was on motion, granted on the payment of the regular license tax and provided he comply with the ordinance prohibiting the selling and demonstrating of goods on the public streets of the City.

An ordinance amending the ordinance levying and assessing a special tax on wholesale produce dealers, was on motion, passed on its third and final reading and being for the immediate preservation of the public peace and safety of the citizens of Asheville was declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said City.

AN ORDINANCE AMENDING THE ORDINANCE AMENDING THE SPECIAL TAX ORDINANCE LEVYING A SPECIAL TAX ON WHOLESALE PRODUCE DEALERS.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the provisions of that certain ordinance passed by the Board of Commissioners on July 12, 1921: "amending an ordinance levying and assessing a general and special taxes adopted by the Board of Commissioners on the 15th day of June 1921", be amended by inserting after the word "resident" in both section two and three thereof, the following:

"Provided, however, that the provisions of this section shall not apply to persons selling vegetable, fruits or any article of the farm or dairy grown or raised in Western North Carolina by the person selling any of the products afore mentioned."

Section 2. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

Section 3. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said City, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said City.

I move the adoption of the foregoing ordinance, this the 9th day of August, 1921.

GALLATIN ROBERTS
Commissioner

Approved as to form:

Geo. Pennell,

Corporation Counsel.

The report of cases collected by the Department of Public Safety for the month of July was read and, on motion, ordered filed.

On motion, the following building permits were granted:

J. R. [illegible]	Addition to store	84 Patton Avenue	Estimated cost	$ 100.00
S.G. & Edgar Whittaker	[illegible]	[illegible] Avenue	" "	2,000.00

On motion, adjourned.

[signature]
Secretary-Treasurer.

Friday, August 12, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. S. Howell, representing a Mrs. Wilson, complained that his client ran a novelty shop on Government Street and automobiles parking on the street obstructed the view of his client's windows from Haywood Street, and in her opinion, materially injuring her business, and he asked that the Board take some steps to eliminate the conditions complained of.

It was explained to Mr. Howell by the Commissioner of Public Safety, that it would be impossible to afford his client any relief unless all other parties placed in the same position were afforded the same measure of relief, therefore, he did not think it possible for the Board to take any action in this particular instance.

On motion, it was ordered that the local baseball organization be granted permission free of charge to advertise baseball games on the streets of the city by way of either distributing hand bills or by use of wagon or automobile.

Attorney J. Frazier Glenn, representing E. G. Hamilton & Son, proprietors of the Community Wash Laundry, located in Woolsey, appeared before the Board and explained that although his clients paid all the taxes paid by laundries located within the city limits, with the exception of city advalorem tax, yet they were charged double water rent. He contended that this was manifestly unfair, in view of the fact that his clients paid the city tax levied on such business and asked that the Board take such action as is necessary to place his clients on an equal footing with other laundries.

This matter, on motion, taken under advisement.

The Corporation Counsel's report of his investigation of the title to the Sternberg property, located on Bartlett Street, recently purchased by the city, on which to constuct a fire station, was read to the Board, and on motion, ordered filed.

August 11, 1921.

To the Honorable Mayor Commissioner
and Board of Commissioners of the
City of Asheville, N. C.

In re S. Sternberg Title

Gentlemen:

In reply to your communication of the 10th inst. concerning the abovementioned matter, I have to advise, that on Dec. 23, 1920, in compliance with instructions theretofore given reported to your Honorable Body, on the title to that certain lot located on the northern margin of Bartlett St. and being Lot No. 166, Sheet 9, Card 4, of the Tax Assessors maps of the City of Asheville, which report has never been placed on the Minute Docket of your proceedings, and in which I advised of five defects in title aforesaid, I prepared a deed in proper form at the time of making the report, expecting the defects aforesaid to be cured and a few days later I found the same on record in the Office of the Register of Deeds, which was the first intimation I had that the matter had been closed. I saw Mr. Sternberg on several occasions later and informed him of what would be necessary to cure the defects in the title, and also discussed with the attorney employed by Mr. Sternberg the various legal questions involved in the controversy. However, the last defect, as reported in my communication of Dec. 23, 1920, was cured this morning by the payment of the 1920 Municipal taxes, the receipt for which I hereto attach for the proper city files.

It is needless to suggest, that the long delay in this matter is no fault of mine. It was my duty to report on the title, which I did within five days after instructed to make the examination. I respectfully suggest the filing of my original opinion in this matter on the proper records, as is the usual custom and that I will in no wise to responsible for any defects in any titles, which I may examine, unless in the future I am given an opportunity to pass upon any corrections before the closing of the trade and registration of the papers.

Very respectfully,

Geo Pennell.

All weekly payrolls were approved for payment.

Reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nursing Association, Swimming Pools, Playground Supervisor, Building Inspector, Electrical Inspector, Sealer of Weights and Measures and the Dog Catcher were read and on motion ordered filed.

BUILDING PERMITS.

On motion, the following building permits were granted:

Geo. M. Hensley	Recover & 2 rooms	360 State Street	Estimated cost	$ 300.00
Della & Walter Davis	Repairs	117 Ora Street	" "	600.00
M. E. Church	7 rm House	99 Ashland Ave.	" "	5,000.00
S. T. Humber	Residence	Wells Avenue	" "	2,500.00

On motion, adjourned.

[signature]
Secretary-Treasurer.

Saturday, August 13, 1921--11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting was read and approved.

[illegible]

Attorney Nettles, representing one, Dr. Flowe, appeared before the Board and asked whether or not the Building Inspector had made a report on his client's complaint that a building was being constructed on College Park Place nearer the street than the building line prescribed by the City Engineer.

It was explained to Attorney Nettles by the Commissioner of Public Safety that the Building Inspector reported personally to him that he had notified the owner of the building in question to not build over the building line.

This matter, on motion, taken under advisement; the Board agreeing to go over the ground in person.

[illegible]

Attorney Fred Sale, representing one J. R. Stevens, asked for a permit for his client to enlarge his building at 84 Patton Avenue. Mr. Sale explained that it was the intention of his client to add an addition to this building; the addition to be entirely of iron, no wood being used with the exception of the door frames, floor and sheeting for roof, that Mr. Howell advised his client to go ahead and get his material on the ground and he (Mr. Howell) would mail him a building permit; that his client, acting in good faith on the statement of the Building Inspector, had all of the material placed on the ground, but the building permit had never been received. Mr. Sale stated further that his client was informed that the building permit was being held up by Mr. F. M. Jordan, Deputy State Insurance Commissioner, or on his complaint. He added that if the city would grant him a permit to do the work in accordance with the provisions of the law in such cases made and provided, his client was willing to fight the matter out with the state authorities in the courts.

It was explained to Mr. Sale that if his client would file an application for a permit; [illegible] approved by the Building Inspector, the Board would grant [illegible] in accordance with the state law and should [illegible] provisions of this law, his client would, of course, lay himself liable to indictment.

[illegible]

[illegible], it was ordered that the Mayor be authorized and instructed to [illegible] in favor of one S. M. Redmon in the amount of $50.00, in full settlement of all claims for damages to the property of the said S. M. Redmon by reason of the city constructing a fill in front of his house on Fulton Street.

One, Floyd Clark, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved, and it was ordered that he be granted the license requested.

[illegible]

One, H. A. Talbot, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved, and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Mrs. Annie H. Shute	5 room house & sleeping porch	330 Hillside Street	Estimated cost	$ 3,000.00
Brown Hardware Co.	Remodeling store building	25 Broadway	" "	2,500.00
Goodlake Motor Co.	Repairs	35 Biltmore Ave.	" "	75.00

On motion, adjourned.

C. Shute
Secretary-Treasurer.

Monday, August 15, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting was read and approved.

HARRISON LYTLE-- [illegible]

The application of one, Harrison Lytle, for refund of $1.00, paid by him for a chauffeur's license on April 3, 1920, was on the recommendation of the Commissioner of Public Safety, respectfully refused.

[illegible]

The application of the Burton System, Incorporated, for permission to construct a street sign board on the roof of Chas. Marcari's store, opposite the [illegible] office on Patton Avenue, not being approved by the Building Inspector, was, on motion, respectfully refused.

[illegible]

On motion, the following building permits were granted:

P. J. Herron	6-rm House	Pearson Drive	Estimated cost	$ 1,[illegible]
P. J. Herron	6-rm "	" "	" "	1,[illegible]
P. J. Herron	Repairs	" "	" "	[illegible]
L. B. Jackson and Co.	6-rm House	Macon Avenue	" "	[illegible]

On motion, adjourned.

C. Shute
Secretary-Treasurer

Tuesday, August 16, 1921-- 1 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner R. J. Sherrill absent on account of sickness. The minutes of the previous meeting was read and approved.

[illegible]

A committee representing the Haw Creek school appeared before the Board in an effort to secure permission to use city water.

It was explained to the Board that the water could be secured through the private line of Dr. Stevens, thereby eliminating the necessity of tapping the main line, that water was only wanted to supply a drinking fountain and would only be used during the winter when water is plentiful.

This matter, on motion, referred to the Commissioner of Public Works.

[illegible]

The Commissioner of Public Safety reported that the Allied Clubs had requested him to urge the city to have a survey made of Aston Park.

No action.

[illegible]

The City Engineer's report showing the total and pro-rata cost to property owners on account of the construction of a six inch pipe sewer on Brownwood Avenue was presented to the Board and, on motion, ordered advertised in accordance with the law in such cases made and provided.

CITY SCHOOLS-- [illegible]

On the recommendation of the Superintendent of Public Schools, the following appointments were made to fill vacancies existing in the teaching corps:

August 16, 1921.

The Board of Commissioners,
City of Asheville,
Asheville, N. C.

My dear Sirs:

I wish to recommend the following teachers for election to the vacancies now existing in the Asheville Schools:-

...Training, High School, Miss Thelma Naylor
Raleigh, N. C.
Music Supervisor, Miss Jessie M. Beach,
Talladega, Ala.
Expression, High School, Miss Bertha May Jones
Dayton, Ohio
Mathematics, High School, Paul B. Hendricks
Hagley, N. C.
General Science, High School, Miss Helen Arthur
Alta Vista, Va.
Manual Training, High School, Clarence Lloyd
Terre Haute, Ind.
Cooks, Miss Julia Cassady,
Benson, N. C.
Kindergarten Director, Miss Ruth Martin
Franklin, N. C.
Kindergarten Assistant, Miss Evelyn Rickman
Asheville, N. C.
Secretary to Principal, Elizabeth Batterham

Janitor, Robert Holton
Janitress, Cora Young.

Very truly yours,

W. L. Brooker
Superintendent City Schools.

The application of one, F. S. Parlow, for a refund of $2.00 paid by him for a chauffeur's license, he having failed to pass the necessary examination, was, on motion, respectfully refused.

Aug. 15, 1921.

To the Honorable Mayor Commissioner,
Board of Commissioners.

City of Asheville, N. C.

Gentlemen:

I hereby respectfully petition the City Board of Commissioners to return to me the sum of $2.00, which was paid to the Commissioner of Public Works about two weeks ago, when I made application for chauffeur's license, and deposited the sum of $2.00 to secure the same. The said license was not granted because of my failure to pass the chauffeur's examination.

Very respectfully,

F. S. Parlow.

On motion, the following building permits were granted:

Bayne & Sullivan	Store	Tiernan St.	Estimated cost	$ 795.00
C. L. Watts	Farm House	Galax Avenue	" "	300.00
J. L. Miller	Garage	109 Bartlett St.	" "	100.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, August 17, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner R. J. Merrill absent on account of sickness. The minutes of the previous meeting read and approved.

The application for a discount for weighing on the city scales, presented by the Commissioner of Public Safety, was, on motion, taken under advisement.

The complaint of one, J. A. Moore, that he at present had no entrance to his property located near Beaver Street, West Asheville, and his request that he be granted permission to take up a small plank sidewalk in order to get into said property, was on motion, referred to the City Engineer for investigation and report.

On motion, the following building permit was granted:

W.E.Smith & Lilly Starnes Blacksmith Shop Dunaway Ave. Estimated cost $ 400.00

On motion, adjourned.

Secretary-Treasurer.

Friday, [illegible]

The Board of Commissioners met in regular session, Mayor [illegible] presiding. The minutes of the previous meeting were read and approved.

Deputy State Insurance Commissioner F. M. Jordan appeared before the Board and complained of failure of the Insurance Law requiring the construction of buildings inside of the fire limits. He stated that he had applied for a permit to build a twenty-two [illegible] in the fire limits. Mr. Jordan read the law and stated that Asheville in violation of the law in granting permits, also the building inspector in the granting of the application. Mr. Jordan further stated that the insurance in the case of fire would be increased from [illegible] per cent. Mr. Jordan stated that the Insurance Commissioner had ruled that the proposed construction of wooden buildings within the fire limits of Asheville would increase the fire insurance rates, but would [illegible] the Firemen's Relief Fund.

Mr. Jordan stated that he had been making [illegible] for the past eleven years and had never [illegible] for the building he had in mind.

On motion, the Deputy Insurance Commissioner, the Mayor and the Building Inspector were instructed to confer with Mr. Jordan, the Deputy Insurance Commissioner, and if possible with the Attorney General for the purpose of securing a ruling which would immediately [illegible] Insurance Commissioner's ruling, or, in effort to get an interpretation of the law that would be satisfactory by the word "frame building" in the law.

The Commissioner of Public Works reported that in connection with Mr. [illegible] Brewer's request that the City assume the cost of [illegible] in front of his property, he had secured an estimate from Kelly & Gibson to [illegible] pavement 4 inches thick, [illegible] Sulphur Springs property, he had secured an estimate from Kelly & Gibson covering the work; their estimate being [illegible] square foot.

The matter, on motion, was taken under advisement.

Aug. 19, 1921.

Mr. [illegible]

Dear Sir:

We will furnish you [illegible] "I" Beam iron, [illegible] "3" or Heavier [illegible], we will for Thirty per cents ([illegible] per running foot.

Special quotation will be [illegible].

Yours [illegible].

On motion, it was ordered that a fence be erected between the [illegible] Grammar school and the residence of Mr. Guy Carter.

A communication from the Corporation Counsel, requesting a legal opinion on the [illegible] to the City of the E. Buchanan property, condemned some time ago for street purposes, was read. Board and, on motion, the matter was referred to the Corporation Counsel for an opinion.

August 17, 1921.

To the Honorable Mayor-Commissioner &
Board of City Commissioners,
Asheville, N. C.

Gentlemen: In re: Elizabeth Street.

I am in receipt of your communication of the 11th ultimo with reference to the claim and contentions of the [illegible] property, concerning the closing up of a certain unopened street running from Clayton to Cyane Street, a tract of land in front, and a library now [illegible] by the City Engineer, and in reply I beg to advise that I am not able to find any information which points [illegible] the City ever having accepted, opened or used the street in question.

Before I can render you a legal opinion on the matters involved in this controversy, it will be necessary for me to have further information from the City Engineer as to the history of this street [illegible] ever been dedicated, accepted or used by the Municipality as a public street.

Very respectfully yours,

[illegible],
Corporation Counsel.

...read to the ...

Aug. 17th, 1921.

...

...

...

On motion, it was ordered that permission be granted the Haw Creek school to tap the Biltmore Borough water line, with the understanding that the water is to be paid for promptly on the tenth of each month and that the Board of Commissioners reserves the right to discontinue furnishing said water anytime within its discretion.

On motion, the following building permit was granted:

J. L. Ford	5 rm House	Estimated cost	$ 3,500.00

On motion, duly carried.

Secretary-Treasurer.

Tuesday, August 23, 1921--4 o'clock, P. M.

The Board of Commissioners met in special session at the call of the Mayor, there being present at the meeting the Honorable Callaghan Roberts, Mayor-Commissioner of Public Accounts and Finances and R. J. Sherrill, Commissioner of Public Works.

One Norman M. Johns, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, adjourned.

Secretary-Treasurer

Wednesday, August 24, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Reed [illegible] property owners who have not their benefits in connection with the [illegible] of Market Street from Woodfin Street to Walnut Street, [illegible] the Board and asked that that portion of the street on which no appeal is [illegible] be opened at once. He stated that his clients did not expect the City to [illegible] the property, that [illegible] had counseled from the decision of the Jury at that time, but they did ask and demand, due to the fact that the assessments [illegible] the property [illegible] the portion of the property on which no appeal had been [illegible] by the public.

[illegible] matter was left in the hands of the Mayor for investigation.

On motion, it was ordered that the Superintendent of City Schools be instructed to [illegible] the attendance of children attending public schools of the City during the present school term, due to the grossly congested condition of the schools existing from [illegible] pupils or guardians do not reside within the city limits.

A petition, signed by residents and property owners on Craven Street, requesting the [illegible] of a fire plug on Craven Street near the blacksmith shop was on motion ordered filed.

City Commissioners
City of Asheville, N. C.

Gentlemen:

We the undersigned of Craven Street ernestly petition your honorable Board to have a fire plug placed on Craven St. near Black smith Shop.

Harvey Penland	R. L. Jenkins
J. A. Penland	O. M. Jenkins
W. T. Henderson	J. A. Jenkins
C. F. Jenkins	G. A. Cooper
A. L. Callahan	Oscar Penland
W. N. Edwards	Morey Mills
J. M. Roberts	F. K. Isreal
C. V. Jones	E. C. Hall

A petition, requesting that the road leaving Haywood Road [illegible] side of [illegible] West and running [illegible] Junction, be opened at the Murphy railroad be received, was [illegible] to the Board, and [illegible] order filed.

Asheville, N. C. August 17th, 1921

To the Honorable Board City Commissioners,

We the undersigned petitioners respectfully request that you repair the road leaving the Haywood Road [illegible] through the [illegible] impassible [illegible] School House [illegible] immediate [illegible].

Very respectfully.

Petitioners

Jon L. [illegible]	J. C. Brenton
C. W. Davis	W. W. Martin
J. P. Welch	J. C. Brown
S. M. Marshall	E. F. Puckett
A. P. Rice	[illegible]

A communication from J. C. Stikeleather, agent of the Forest Development Co. granting the City permission to construct a trail through the property of the Forest Development Co. from the Buckeye Spring ground to the left of [illegible] and crossing the ridge at a point [illegible] to the direction of Ivy Gap, was read by the Board, on motion, ordered filed.

August 22, 1921.

BOARD OF [illegible]
Asheville, N. C.

Gentlemen:

Referring to our conversation I am very pleased to give you permission to construct a trail through the property of the Forest Development Company from the Buckeye Spring ground to the left of [illegible] and crossing the ridge at any point that may be found feasible going toward Ivy Gap.

Yours very truly,

J. C. Stikeleather, Agt.

One Theodore Belling, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

One Ewell Garrison, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

✓F. S. Foster	7 rm House	Bartlett Street	Estimated cost	"	$ 5,000.00
✓F. S. Foster	5 rm House	Bartlett Street	"	"	3,[illegible]
✓W. I. Trentham	Garage	171 East Chestnut Rd.	"	"	75.00
✓E. L. Carver	2 Rooms	[illegible] and Hill Road	"	"	[illegible]
✓L. F. Warren	2 Rooms	[illegible]	"	"	[illegible]
✓C. Wilder	4 rm House	11 Park Ave.	"	"	[illegible]
✓Mrs. W.E. Logan	4 Rooms	16 Woody Pl.	"	"	1,[illegible]
✓J. W. Capps	Repairs	Waynesville Ave.	"	"	[illegible]
✓Mrs. Stockinger	Recover House	30 Fagg St.	"	"	61.[illegible]
✓J. H. Buckner	Recover House	11 Madison Ave.	"	"	[illegible]
✓Ideal Amusement Company	Theatre	373 Waynesville Ave.	"	"	150.00
✓T. Bledsoe & Co-5 rm House		Near Biltmore Ave.	"	"	[illegible]
		Cumberland Circle	"	"	6,000.00

On motion, adjourned.

Secretary-Treasurer

Thursday, August 25, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, the following building permits were granted:

M. P. Sprinkle	[illegible]	[illegible] Circle	Estimated cost	$ 75.00
W. A. Gilson	Repairs	Cumberland Circle	" "	6,000.00
R. V. Johnson	[illegible]	281 Warren Drive	" "	300.00

On motion, adjourned.

[signature]
Secretary-Treasurer.

Friday, August 26, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor presiding. Mayor Roberts, absent on official business; the minutes of the previous meeting were read and approved.

The application of the Barnett Bank Company for a license to stage a theatrical show in the City of Asheville during week after next, was on motion, taken under advisement.

C. C. Willis, Surety on the bonds of Fern Cassady and John H. Chapman, having recalled his bonds of said parties and asked that same be cancelled, it was, on motion, ordered that the bonds be returned to Mr. Willis and the licenses granted these parties to operate public service automobiles in the City be revoked on the surrender of the public service chauffeur's card issued the said parties.

Aug. 25, 1921

The Board of Commissioners,
Asheville, N. C.

Gentlemen:

This is to say that I want to recall or take down the name of [illegible] H. Chatman (Col) for a license as chauffeur.

Respectfully

C. C. Willis.

Reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nurse, Meat Inspector, Plumbing Inspector, Electrical Inspector, Building Inspector, Sealer of Weights & Measures, Supervisors of Swimming Pools, Supervisor of Playgrounds and Dog Catcher were read and, on motion, ordered filed.

On motion, adjourned

[signature]
Secretary-Treasurer.

Saturday, August 27, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The Commissioner of Public Works reported that Mr. Bruce Crark had completed the trail around Snowball off the City's water shed and that he and the Park Commission would inspect same next Monday.

The application of an old confederate veteran for license to sell artificial flowers in the congested district of the city, was on motion, refused; this being directly in violation of the city ordinance.

Dr. C. V. Reynolds and Mr. Robert Johnston, representing property owners, appeared before the Board and called attention to the necessity of taking immediate action looking to the widening of Valley Street.

It was called to the Board's attention that notwithstanding the fact that the owner of the property on the west side of the street at the intersection of College had heretofore agreed to give nine feet on College Street and ten feet on Valley, that he had recently completed plans for the erection of a building on this corner, and to the street line.

It was also called to the Board's attention that this street is the main thoroughfare leading from the north end section of the city to the Depot and that the property owners residing in Grove Park section were very anxious that same be widened.

It was ordered that the City Engineer be instructed to prepare a plan showing the widening of Valley Street ten feet and the zone of benefits and damages on account of said proposed improvement.

On the recommendation of the Superintendent of City Schools, the following appointments were made to fill vacancies existing in the teaching corps:

August 24, 1921.

The Board of Commissioners,
Asheville, N. C.

My dear Sirs:

I wish to recommend the following teachers to fill vacancies now existing in our corps:

Manual Training: G. C. Wible- Terre Haute, Ind.
Latin: A. L. Hamilton- Newport News, Va.
Assistant Kindergarten- Katherine Carr, Asheville, N. C.
[illegible] Catholic Hill- Jessie Fox, Asheville, N. C.
Music Supervisor- Agnes McLean.

Yours very truly,

W. L. Brooker,
Superintendent City Schools.

On motion, the following building permits were granted:

Maria Goodman	Repairs	53 Poplar Street	Estimated cost	$ 5.00
Minnie House	2 rooms	Morgan Street	" "	25.00
Whitt Sparks	Garage	114 Westwood Place	" "	1[illegible].00
C. C. Wright	Coal House	French Broad & Livingston	" "	35.00
Mrs Julia Lee	Addition	Flint Street	" "	25.00
J. A. Murray	5 rm House	12 Chestnut Street	" "	3,[illegible].00

On motion, adjourned

[signature]
Secretary-Treasurer.

Monday, August 29, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Messrs. Malone and Raoul, representing interested property owners, appeared before the Board in the interest of the proposed widening of Valley Street.

These gentlemen were informed that the City Engineer had already been instructed to survey the street and furnish the Board with a map showing the zone of benefits and damages.

Mr. W. M. McDowell appeared before the Board and requested that a sidewalk be laid on one side of Hamilton Street and that the light at the intersection of Brooklet Street and Hamilton Street be moved to about the center of Hamilton Street.

Mr. McDowell was requested to ascertain whether or not the property owners on that street would be willing to pay for a sidewalk immediately on its completion, while his request for a change in the location of the light was referred to the Commissioner of Public Works.

The application of one Mrs. J. E. Riggs for refund of special license tax paid by her to operate a public service automobile in the city, was on motion, taken under advisement.

On motion, it was ordered that a 100 C. P. Tungsten street light be installed at the intersection of Beaucroft Drive and Meadow Lane.

On motion it was ordered that a 100 C. P. Tungsten street light be installed on Sand Hill Road near the residence of Mr. Fanning.

On motion, the following building permits were granted:

J. E. Ray	6 rm House	50 Holland St.	Estimated cost	$ 4,000.00
Mrs. Louise Druch	6 rm "	530 Biltmore Ave.	" "	5,000.00
O. Kenner	1 Room Restaurant	465 Spring St.	" "	50.00
E. M. Treck	9 rm House	Baird Street	" "	8,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, August 30, 1921--11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

REPRESENTATIVES OF SOUTHEASTERN UNDERWRITERS ASSOCIATION--VIOLATION OF FIRE WASTE LAW.

Representatives of the Southeastern Underwriters Association appeared before the Board and stated that on their last inspection, something over a year ago, they had agreed to give the City of Asheville a reduction in insurance rates, so far as mercantile establishments and other buildings were concerned, provided the fire waste bill was enforced. However, on their return to the City they find that this bill has not been enforced; corrugated iron shacks being allowed to be constructed inside the fire limits, therefore, unless something is done they will be compelled to advance insurance rates.

It was explained to these gentlemen that the reason these corrugated iron buildings were allowed constructed inside of the fire limits was that the Board had been unable to get an interpretation of the law until within the past few days, when Mr. Stacy, the State Fire Insurance Commissioner, advised that corrugated iron buildings with concrete floors and iron or steel studding or roofers were permitted. However, these gentlemen were assured that the Board wished to co-operate with them in every respect possible, and it was suggested that they hold a conference with the Board and the Corporation Counsel this afternoon at 2 o'clock, when it would be definitely decided just what was necessary to insure a strict compliance with the laws regulating the construction of buildings within the fire limits of the City.

R. J. LEWIS--BUILDING LINE ON COLLEGE STREET

Mr. R. J. Lewis appeared before the Board and stated that he wished to construct a building at 97 College Street and asked that a building line be established.

On motion of the Commissioner of Public Works, unanimously adopted, it was ordered that the building line be established on the south side of College Street between the west margin of the Court House property and Valley Street of ten (10) feet from the property line.

Miss Cora Drummond appeared before the Board and explained that when her house was constructed on Charlotte Street the contractor had made her sewer connect to a private sewer, which was very unsatisfactory, continually giving her trouble and she asked that the City run a sewer down in front of her residence so that she can connect with the public sewer.

This matter, on motion, taken under advisement.

The Commissioner of Public Works reported that in company with the City Health Officer, he had inspected the trail around Snowball on the Bee Tree Water Shed, constructed by Brad Brank, and would recommend that Mr. Brank be paid $190.00, the amount of the contract for the work.

This report, on motion, adopted.

August 30, 1921.

Honorable Mayor and Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

As information, I beg to advise that in company with Dr. C. V. Reynolds, Health Officer, I inspected the trail around Snowball, on Bee Tree Water Shed, constructed by N. B. Brank, and found same in as good shape as could be expected.

I, therefore, recommend that a voucher be issued in favor of Mr. Brank for $190.00, the amount of the contract for this work.

Very truly,

E. J. Sherrill

Commissioner of Public Works.

The City Clerk tendered the completed tax list for years 1921- 1922 and, on motion, same was accepted and ordered turned over to the Tax Collector for collection as provided by law.

On motion, all monthly and semi-monthly payrolls were passed for payment.

On motion, the following building permits were granted:

B. H. Frady	Recover House & Addition	241 Biltmore Ave.	Estimated cost	$ 300.00
Southern Express Company	Platform	Depot Street	" "	500.00
Carl Renfro	5-rm House	Fulton Street	" "	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, August 31, 1921--11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. B. Anderson appeared before the Board and asked for permission to conduct a general hospital at 61 South French Broad Avenue.

It was suggested to Mr. Anderson that he file his application for a permit to make the necessary improvements, at which time the whole matter would be considered.

One S. N. Lawing, residing at 217 Merrimon Avenue, appeared before the Board and complained that preparations were being made to conduct a boarding house in next house to him, at 211 Merrimon Avenue, in which it is expected to handle tubercular patients. He asked that the Board, if possible, prevent the operation of such business at that location, stating that such an institution would not only endanger the health of the people residing in that vicinity, but would tend to deteriorate materially the value of the property.

This matter, on motion, taken under advisement.

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that Mr. Pleasant Brady be appointed Chief Sanitary Inspector at a salary of $150.00 a month.

Monthly reports from the Building Inspector, Electrical Inspector and the Plumbing Inspector were read and on motion ordered filed.

On motion, the following building permits were granted:

J. C. Reagan	Recover House	88 Sand Hill Road	Estimated cost	$ 50.00
J. L. Angel	3-rm House	Third Avenue	" "	1,500.00
J. F. Means	Garage	Westwood Place	" "	100.00
J. F. Means	6-rm House	Westwood Place	" "	5,000.00

Secretary-Treasurer.

Thursday, September 1, 1921--11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Gilmer Welsh appeared before the Board and stated that at the time the Library building was improved and painted the signs were all taken down, the parties doing the work promising to have a directory made and installed in the hallway; that so far the directory had not been installed and parties having business in the building were having trouble in locating offices.

Mr. Welsh also asked that something be done to prevent people sitting on the tops of the entrance and expectorating all over the sidewalk.

This matter, on motion, taken under advisement.

Mr. F. C. MacArthur appeared before the Board and explained that some nine months ago he had paid the benefits assessed against his property on account of the proposed opening of Market Street of some $500.00, and therefore, he thought that the money should either be refunded, interest paid on same or the City take some action towards completing the improvement.

Mr. MacArthur was assured by the Board that some action towards the opening of Market Street would probably be taken in the near future.

On motion of the Commissioner of Public Safety, it was ordered that the Ideal Amusement Company be granted permission to paint and put lights in the alley running in the rear of the Library Building with the understanding that said company is to bear the entire expense of said work.

The report of the jury showing benefits and damages assessed by reason of the

condemnation of land for a right of way over which to extend a sewer from Horney Heights to Hominy Creek was read to the Board and on motion, unanimously adopted.

To the Honorable Mayor and Board of Commissioners of the City of Asheville, North Carolina:

We, the undersigned jurors, having been duly summoned and sworn to assess damages to the lands of

Asheville Power & Light Company	E. T. Belote
H. M. Weir	Horney Heights
Ralph Carrier	H. A. Brown
A. H. Carrier	E. G. Carrier
Bob Williams	John Pate

owners of land situated, lying and being in the City of Asheville, a portion of which premises is required by the Board of Commissioners of said City for the purpose of Extension of Sewer, as surveyed and staked off by the City Engineer from Horney Heights to Hominy Creek and also to assess the benefits to the lands aforesaid, in pursuance to the condemnation of lands for said purpose, made by the Board of Commissioners of said City of Asheville, at their meeting held on the 6th day of August 1921 and in pursuance of the writ thereupon issued by the Mayor of said City, dated August 8, 1921 directing a policeman of said City to summon a jury for said purpose.

We, the said jury, having been duly summoned and sworn, respectfully report as follows:

That on the 31st day of August the said parties in interest having had due notice we proceeded to view the lands heretofore condemned for said proposed improvement, being the Extension of Sewer from Horney Heights to Hominy Creek, as surveyed and staked off by the City Engineer, and also the view the lands contiguous thereto, and of the said parties mentioned in said writ, and we find as follows:

That the lands as named below is damaged no dollars.

Asheville Power & Light Co.	
H. M. Weir	H. A. Brown
Ralph Carrier	E. G. Carrier
A. H. Carrier	John Pate
Bob Williams	
E. T. Belote	
Horney Heights	

That the lands of named below is benefitted no dollars.

Asheville Power & Light Co.
H. M. Weir
John Pate
Ralph Carrier
A. H. Carrier
Bob Williams
E. G. Carrier
H. A. Brown
E. T. Belote
Horney Heights

Respectfully submitted,

A. Nichols
E. D. Anthony
J. E. Dennis
J. K. Chambers
John B. Hermann
F. A. Walton

FIRE DEPARTMENT MONTHLY REPORT

The report of the Chief of the Fire Department showing the activities in that department for the month of August 1921 was read to the Board and, on motion, ordered filed.

BUILDING PERMIT

On motion, the following building permit was granted:

J. E. Carpenter Repairs 45 Linden Avenue Estimated cost $ 50.00

On motion, adjourned.

Secretary-Treasurer

Friday, September 2, 1921 --11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. P. Anderson stated that some time ago his brother, Dr. J. G. Anderson and Mr. [illegible] Posey owned some property lying between Baker Avenue and Buffalo Street, that they extended a street through this property from Baker Avenue to Buffalo Street and later sold off all the property abutting on this street; that after this property was disposed of Buffalo Street was paved and the assessments for the paving on Buffalo Street charged against the intersection of the street opened by his brother and Mr. Posey. He asked that the City accept the street in question, thereby dispensing of this assessment.

This matter, on motion, referred to the Commissioner of Public Works.

Attorney J. P. Anderson also requested permission to extend a porch to be constructed at 61 South French Broad Avenue five feet over the building line of twenty-five feet.

This matter on motion taken under advisement, the Board agreeing to go over the ground and inspect conditions in person.

Mr. E. M. Jones appeared before the Board and stated that in order to get water for the Emma school, he and a Mr. Shook had formed a company and wished to put in a two inch line connecting with the city line on Louisianna Avenue, through which they wished to supply with water not only the school but residents in that section.

As information to the Board, the Commissioner of Public Works stated that some months ago Mr. Sneed Adams had asked permission of the Board to use city water in connection with the Emma school, and that this permission had been granted with the understanding that the water could be secured by tapping the Zimmerman line and with the further understanding that the water would be used for school purposes only; that some time later a Mr. Burlison asked whether or not the Board would consider him using city water and he was told that the only way the city would sell water was for the parties purchasing the water to run a line to the city limits.

The Commissioner of Public Works further stated that there were quite a number of tax payers of the city who could not get water after 9 o'clock A. M. on account of the consumption being greater than the supply in some places; that he now has the City Engineer making a survey to determine how the city mains can be re-enforced so as to supply some of the citizens and tax payers residing in high places in the city with sufficient water. Therefore, in view of these facts he doubted very seriously the wisdom of allowing any one else outside of the city the privilege of using the city water at present.

This matter, on motion, taken under advisement.

On motion, it was ordered that the special license granted one Robert Davidson to run a lunch room, sell ice cream, cigars, cigarette and tobacco at 59 Haywood Street, be transferred to Mrs. [illegible] E. Riggan; she having purchased the business.

On motion, it was ordered that Mrs. J. E. Riggs be refunded three-fourths of the special licence tax of $25.00, paid by her to operate a public service automobile in the city. This action taken on the statement of Mrs. Riggs' brother-in-law that she had sold the automobile and discontinued the business.

On motion, it was ordered that the order of the Board, at its regular meeting on August 22, 1921 allowing the Haw Creek School to use city water furnished through the Cheesborough line, be rescinded.

On motion, it was ordered that the Haw Creek School be granted permission to use city water secured through a tap on the Cheesborough water line with the understanding that the water used is to be paid for promptly on or before the tenth of each month, and that the Board of Commissioners reserves the right to discontinue furnishing said water at any time within its discretion or at any time the furnishing of said water to said school interfers with Mr. Cheesborough's supply of water.

The attention of the Board was called to the fact that heretofore some fifteen children residing without the city had been attending the Buffalo Street school without paying tuition, but that if the recent order of the Board was adhered to prohibiting children residing without the city attending public school, these children would have absolutely no way of securing educational training and the Board was requested, if possible, to allow the children in question to attend this school.

This matter, on motion, referred to Superintendent Brooker for immediate investigation and recommendation.

A motion by the Commissioner of Public Safety that the Purchasing Agent be instructed to advertise for bids for the construction of the fire station on Depot Street, was, on motion, taken under advisement.

One W. W. Johns, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was on motion approved and it was ordered that he be granted the license requested.

On motion, all weekly payrolls were passed for payment.

Reports from the Street, Street Cleaning, Health, Incinerator, Electrical Inspector, Plumbing Inspector, Building Inspector, Sealer of Weights & Measures, Supervisors of Playground and Swimming Pools and Dog Catchers were read, and on motion, ordered filed.

On motion, the following building permits were granted:

Millie E. Starnes	2 rm House	Haywood Road	Estimated cost	$ 350.00
French Broad Hospital Co.	Addition	61 S. French Broad	" "	30,000.00

On motion, adjourned

Secretary-Treasurer.

Saturday, September 3, 1921 -- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. George A. Gash and Mr. Lankford appeared before the Board and called attention to the fact that in order to get to their property on Fifth Avenue it was necessary to go in on Fourth Avenue and trepass on private property. They stated that they did not know at what time the owner of this property would object to their crossing it, and asked that the Board take some immediate action towards giving them an outlet.

In this connection the Commissioner of Public Works explained that in order to extend Fifth Avenue to Michigan Avenue and thereby afford these property owners a means of ingress and egress, it would be necessary to construct a fill ten or fifteen feet deep and make a large cut, which, of course, would be very expensive.

After some discussion, it was ordered, on motion, that the matter be referred to the Commissioner of Public Works with the request that he have an estimate made of the cost of the necessary grading and submit same to the Board for its approval.

An ordinance regulating the establishment and maintenance of hospitals, sanitoriums, boarding houses and lodging houses where persons suffering from tuberculosis are received was presented to the Board, and on motion, passed on its first reading.

Attorney Gilmer Welsh, representing certain interested property owners in the vicinity of Pearson Drive, objected to the ordinance as drafted, stating that under its provisions it would be possible for any person to purchase a piece of property, say 300 feet square, and erect a tubercular sanitarium or boarding house in any section of the city.

He stated that he was under the impression that this ordinance would not prohibit the construction of a tubercular sanitarium on the Welk property, thereby permitting the establishment of such an institution within a stone's throw of a public school. He also stated that, in his opinion, the ordinance should provide for a fine in place of a penalty for the reason that if a penalty is prescribed the City will have to enter a civil suit whereas if a fine is stipulated the violation becomes a criminal offense.

He also objected to that provision of the ordinance which provides that the ordinance shall not apply to such institutions already established in the City until the 2nd of September, A. D., 1922, stating that since the former ordinance was declared unconstitutionaly, a number of these institutions have sprung up in the City and it will be necessary for the residents and property owners to put up with them for at least a year.

It was explained to Mr. Welsh that the present ordinance would only be passed on its first reading today and that the Board would be very glad indeed if he could present something tangible for its consideration before the final passage of the ordinance.

...ction, ...ir final hearing, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved his application for a chauffeur's license to operate a public service automobile in the city was on motion approved and it was ordered that he be granted the license requested.

...it was ordered that the employees of the City, with the exception of the employees in the Police and Fire Departments, be granted a holiday on Monday, September 4, 1922.

A report of the cash received in the Inspection and Police Department was received and ordered filed.

On motion, the following building permits were granted:

H. F. Galloway				
A. R. Galloway	4 rm House	Michigan & Penn Ave.	Estimated cost	$1,000.00
O. C. Collins	Repairs	19 Buffalo Street	" "	100.00
E. L. Ray	Garage	108 Hillside St.	" "	200.00
Mrs. E. Longston	Sleeping porch	9 Short Street	" "	75.00
A. F. Andrews	Repairs	Westwood Place	" "	75.00
T. C. Smith	Roof	247 Hillside St.	" "	150.00
Asheville Shuffle Bd'w. Co.	Store	Patton Ave, south side	" "	60,000.00
Florence Kelly	Sleeping porch	45 Catholic Avenue	" "	75.00
[illegible]	Garage	Pearson Drive	" "	125.00

On motion, so ordered.

Secretary-Treasurer

Tuesday, September 6, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. Ira Jolly drew the attention of the Board to the fact that no toilet facilities were provided for the men at training department now using her building on Park Avenue, and stated if the Board could not make arrangements to have same installed that it at least bear part of the expense.

This matter, on motion, was referred to the Superintendent of City Schools for immediate investigation and report.

Mrs. Jolly also extended to the Board a cordial invitation to inspect the museum of pottery established by her in her building on Park Avenue.

Mr. A. F. Brown made application for permit, in behalf of himself and Mr. Carter, to remodel the office building on Haywood Road in West Asheville, making the first story brick.

In this connection Mr. F. F. Howell, Building Inspector, advised that under the law the permit requested could not be allowed without the permission of the State Insurance Commissioner and it was, therefore, ordered on motion, that the Building Inspector in company with Mr. F. L. Carden investigate the proposed improvement and advise whether or not they can approve same.

The application of Ray & Rowe for refund of a portion of the special license tax paid by them to operate ice-cream at the corner of Market Street and Eagle Street was, on motion, respectfully refused.

Mr. L. L. Mercmant was before the Board in the interest of a request for a building permit to construct a building for Mr. R. A. Carrier at the intersection of Valley Street and College Street, stating that he would like to get the matter straightened out as early as possible in order that he might start the work.

In this connection, it was explained by the Commissioner of Public Works that the map showing the zone of benefits and damages by reason of the proposed widening of Valley Street would probably be ready by tomorrow, at which time same could be adopted by the Board and a jury appointed, but that it would be probably some twenty or thirty days before the jury will pass on the proposed improvement.

Mr. J. H. Buckner appeared before the Board with reference to the lease of his building on Haywood Road to the City to be used as a fire station, explaining that the building now used by the City has been leased and in view of the fact that extensive repairs would have to be made to same, he would like to get the matter of lease settled as early as possible.

Mr. Buckner was advised that the Board would probably let him know definitely during the day.

An ordinance regulating boarding houses, hotels, sanitariums and sanitariums housing tubercular patients was presented to the Board for measure on its second reading.

Mr. H. F. Claudius was present and objected to some of the provisions of the proposed ordinance. Mr. Claudius was assured that his objections and suggestions would be carefully considered by the Board, however, it was ordered, on motion, that the ordinance, as presented, be presented on its second reading.

( )

It is a fact that all existing licenses have been granted without opposition of persons within 200 ft thereof and that the City has never exercised its discretionary power; that the holder thereof have cheerfully complied with the city laws and as a result of the confidence invested in the City Laws and its just administration have invested money to a great extent not only in the conducting of institutions for the saving and benefit of human life but have invested in a class of real estate by reason of its use suitable for no other purpose. Every architect will tell you that a building planned for a tubercular sanitarium does not possess qualities desired in a school or hotel, and even if altered at great expense. Would you patronize a hotel that had been a tubercular sanitarium Or would you send your daughter to a Girls school which had been a tubercular sanitarium. They very purpose and intent of the law is to keep the healthy and sick separated and if you deprive the existing sanitariums of their license and say they must put healthy people in their houses you defeat the very purpose you wish to accomplish and will injure untold numbers of healthy persons. From a legal standpoint I do not believe you can deprive a law-abiding person of his rights under the law- - But look at it from the humanitarium standpoint and don't try to make a law to put healthy people in all those sick houses,

You can take the discretionary powers out of the present law, which is considered unconstitutional, without yourself violating the spirit or intent of the law by putting healthy people where the sick are.

The proposed ordinance of 100 feet to an adjoining lot line will put every sanitarium out of business that I know of, and the Rider providing it of no effect if a residence adjoining is occupied by a tubercular is such a changeable condition as to make it a sieve or a law through which you can drive a hay wagon.

I have given the matter of seperating the healthy and the sick a great deal of thought, both now and when Judge Glenn drew his ordinance so permit me to suggest the amendments to the ordinance read as follows:

Section 1. That hereafter no person, firm or corporation shall rent, keep run or operate a sanitarium, boarding house, lodging house or apartment house of two or more families or other place or maintain any hospital, sanitarium at or in which any person or persons suffering, inflicted or afflicted with tuberculosis or receive, lodged, kept, roomed or boarded within 100 feet of a private residence, rooming house, apartment house or boarding house of less than ten bed rooms, or within 400 feet of a hotel, school, church, theatre, court house or other public building within the City of Asheville.

Section 2. That if an adjoining property owner should build within 100 feet or 400 feet of a building kept, run or operated under this ordinance, such act shall not effect the operation of such building.

Section 3. That all tubercular licensees under the existing law may continue under this ordinance.

Section 4. That all places entitled to and keeping tuberculars shall display in their reception room or office a notice, to be provided by the Board of Health, on the payment of one dollar, that the place is authorized to keep tuberculars.

Section 5. That under the law every person shall be considered tubercular who is under the care of a doctor for that purpose until he is declared by a doctor as well and for that reason not under a doctor's care, also every person coming to Asheville for his health and not placing himself under a doctor's care who coughs or spits until such time as he ceases to cough or spit.

Section 6. That it shall be unlawful for a tubercular to be at any other place than one authorized to contain tuberculars, except a private residence of which he or his family is the sole occupant, and both the tubercular and the person from whom he rents or board with shall be each severally liable under the law.

Section 7. That any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a penalty of Fifty Dollars for each and every such offense.

Section 3. That all ordinance or claudes of ordinance in conflict with any of the provisions of this ordinance be and are hereby repealed.

Hattie Merrin, principal of the Buffalo Street School, appeared before the Board in regard to the fact that her present enrollment was seventy-five children, however, she anticipated ninety-eight. About thirteen of which resides outside of the City. She stated that there was absolutely no other place for these children residing without the city to obtain any educational training and recommended that, if possible, they be allowed to attend this school.

This matter, on motion, referred to the Mayor with the request that he take the proposition of these children residing without the city attending Buffalo Street school with the County Board of Education and ascertain whether or not the said County Board of Education will remit the amount to the City the amount of the County school funds apportioned to their education.

The Commissioner of Public Safety reported that he had received a complaint that the plastering in some of the rooms in the Montford Avenue school was in danger of falling.

This matter, on motion, referred to the Building Inspector with instructions to make said examination immediately.

The request of Mr. J. L. Page for permission to dump dirt at the intersection of State Street and Second Avenue and on Brick Street, and also his request for the establishment of a building line on Brick Street was referred to the Commissioner of Public Works for investigation and report.

On motion the following building permits were granted:

J. S. McCarr.	6 rm. House	46 Linden Avenue	Estimated cost	$4,000.00
C. W. Williams	Repairs	24 Laural Avenue	" "	750.00

On motion, duly carried.

Secretary-Treasurer

Wednesday, September 7, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney R. R. Williams, representing Mr. L. L. Merchant, the successful contractor for the construction of a building for Mr. R. A. Carrier at the intersection of Valley and College Streets, appeared before the Board and stated that before the present agitation relating to the widening of Valley Street had been started, his client had been awarded the contract for the construction of the proposed building and had placed orders for the majority of the necessary material, and started excavation.

Attorney Williams also called attention to the fact that the widening of Valley Street would materially damage Mr. Carrier for the reason that at present he can construct a business house on the land between the dwelling hous and the street, but if the street is widened, he will either have to tear down the dwelling house or move same back, which will, of course, entail considerable expence. He asked, however, that if it was the intention of the Board to widen the street that everything possible be done to rush the matter in order that his client might be saved all unnecessary delay.

It was explained by the Commissioner of Public Works that a map is now being prepared by the City Engineer showing the zone of benefits and damages not only on account of the widening of Valley Street but also of Oak, Woodfin and Charlotte Streets, and it was the intention of the Board to make all these improvements at the same time if possible. Mr. Williams was assured that the Board would do everything within its power to avoid unnecessary delay.

Attorney F. W. Thomas, representing Mr. A. J. Lyman, Mr. A. J. Lyman, Dr. W. L. Dunn, Dr. P. H. Ringer, Dr. J. W. Huston and Dr. C. H. Cocke all spoke at some length in opposition to the proposed ordinance.

Mr. F. W. Thomas called the Board's attention to the fact that the ordinance as proposed would prohibit the operation of a tubercular sanitarium on the land abutting a lot on which is located the same kind of institution, provided said institution is within less than 100 feet of the property line. He asked that the ordinance be amended by inserting at the end of Section 1 the following: "Provided that this ordinance shall not apply where the adjoining property is vacant as long as the same continues vacant, nor shall it apply in cases where the said adjoining property is or shall be used for the purposes hereinbefore in this section mentioned." He also suggested that the distance of 100 feet be amended to read 50 feet and that this distance apply to abutting residence used for residential purposes in place of abutting property line, stating that the present ordinance

would undoubtedly prohibit the operation of the Piner, owned by Mr. Hunt, as a tubercular sanitarium notwithstanding the fact that the property surrounding the same is vacant.

The Mayor presented an amendment proposed by Attorney Mark W. Brown for the consideration of the Board, which amendment is as follows: " Strike out the word 'lower' in the last line of Section 1 and insert 'not used for the purposes heretofore mentioned' ".

Dr. W. L. Dunn stated that when he came to Asheville nearly thirty years ago the whole side of Sunset Mountain was being utilized for tubercular sanitariums and, at that time, recognized, as it is now, that this section of the city was a place suitable, in measure, for the treatment of tuberculosis.

He also called attention to the fact that the present ordinance does not prohibit the conduct of a tubercular sanitarium even when the abutting property is used for the treatment of tuberculosis and stated that the proposed ordinance will put out of business practically all of the sanitariums on Sunset Drive, thereby throwing from two hundred to two hundred and fifty people out of a place where they can procure treatment. He stated that the present ordinance can have no standing as a health ordinance, therefore, the same must be a public policy ordinance, which would force him to build a place to take care of some two hundred or two hundred and fifty people and should he make this investment and later the ordinance was not enforced, his investment would be entirely unnecessary.

Dr. Dunn further stated that so far as he could, he undertook to comply with the provisions of the present ordinance and re or every tubercular patient under his care, but he was very much afraid that if the present ordinance is put in force it will compel him, as well as other doctors in the city to not be quite as conscientious in reporting cases as he has been heretofore and will therefore defeat the purpose of the real health ordinance which might get the co-operation of the doctors.

Both Dr. Cocke and Dr. Ringer went on record in view of the matter in the same light as Dr. Dunn; both of them stating that, in their opinion, the matter could not be regulated by a distance ordinance and the enforcement of the present ordinance might tend to make a menace from tuberculosis, if there is a menace, greater than it is at present. It was also called to the attention of the Board that if the City intends to erect an institution for the cure and treatment of tubercular patients, it should be the City's duty to provide other places for the treatment of this disease and not depend on the doctors.

The Mayor explained that Dr. Sam Venning was present before the Buncombe County Medical Society on that the organization appointed a committee to act in conjunction with the City in perfecting a proper ordinance regulating tubercul sis; that some couple of months later this committee reported and made some recommendations, but that every recommendation made by it was then a law of the City of Asheville. He explained that under the present law tubercular sanitariums can open anywhere within the City and that the City, at least three times, operated as tubercular sanitariums at places where the Board has absolutely refused to grant them licenses.

Dr. C. V. Reynolds, when called on by the Mayor, stated that from a health standpoint there is nothing to be said to undertake to regulate the business, but as a public policy the matter must be considered apart from this standpoint, in his opinion, one hundred feet from the property line is the best regulation that can be made.

He stated further that he believed that there are an abundance of houses within the city limits that can easily be converted into tubercular sanitariums, located a greater distance from abutting property thatn one hundred feet.

Dr. Huston agreed with Dr. Dunn relative to the proposed ordinance and urged that the City consider zoning as a temporary measure. He stated that, in his opinion, it is absolutely impossible to make arrangements necessary to take care of from four hundred to five hundred patients in the time stipulated in the proposed ordinance; namely one year.

In answer to Mr. Thomas' request that the distance be made one hundred feet from house to house instead of one hundred feet from abutting property, Dr. Reynolds, health officer, stated that in case this was done it would permit of tubercular sanitariums being established within the congested district of the City of Asheville.

Commissioner Sherrill expressed his views on the matter, stating that a great many of the citizens believed that a person suffering from tuberculosis should be put out of the city limits, while a great many others are in favor of tubercular patients; that the Commissioners were merely trying to strike a happy medium and secure the co-operation of all concerned, both patients and doctors, and therefore, he, after listening to the arguments presented, could think of nothing that would get nearer to pleasing both classes than the present ordinance, which provides that no tubercular sanitarium can be established within one hundred feet of abutting property.

After some further discussion, it was ordered, on motion, that the matter of the ordinance regulating tubercular sanitariums within the incorporate limits of the City of Asheville be taken under advisement until the regular meeting of the Board on Saturday, September 10th.

On motion, it was ordered that Aston Park be not closed until September 11, 1921.

The resignation of W. H. Harris as a member of the plain clothes force of the City, was presented to the Board and on motion accepted with regrets.

(Copy of Resignation)

Asheville, N. C. September 6, 1921.

Hon. Mayor & Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

It is with regret that on account of my appointment as Federal Prohibition Agent for the Western District of North Carolina I am compelled to tender to your Honorable body my resignation as a member of the Plain Clothes force of the City of Asheville. Said resignation to take place at once, or as soon thereafter as meets with your convenience and approval.

I wish to take this opportunity of thanking you for my appointment to the position which I have held under your administration, and to assure you that I will co-operate with your officers in the enforcement of the law in every respect.

My relations with your administration have been pleasant, and I appreciate the support you have given me in obtaining my appointment as Federal Prohibition Officer, and I assure you that I will do nothing which will ever make you regret your recommendation.

Again thanking you for past favors, and assuring you of my kind appreciation, I beg to remain,

Respectfully yours,

W. H. Harris.

The resignation of G. C. Hunter as Secretary-Treasurer of the City of Asheville, effective September 7, 1921, was presented to the Board and, on motion, accepted with regrets, the Board going on record as wishing Mr. Hunter much success in any business he chooses to follow.

(Copy of Resignation)

Asheville, N. C. Sept. 6-21.

Hon. Sallie Roberts, Mayor

Asheville, N. C.

Dear Sir:

I hereby tender my resignation as Secretary Treasurer of The City of Asheville, N. C., same to take effect Sept. 7- 1921.

I wish to express my appreciation, both to you and the Board of Commissioners for the kindnesses shown me while in your employ.

Yours truly,

G. C. Hunter.

On motion, it was ordered that F. L. Conder, City Auditor, be appointed Secretary-Treasurer of the City of Asheville to fill the vacancy caused by the resignation of Mr. G. C. Hunter.

On motion, it was ordered that voucher be drawn in favor of W. R. Messer, Chief of Police, for fifty dollars to my for information leading to the recovery of property stolen from Mrs. F. M. Green

On motion, the following building permits were granted:

[illegible] D. Manley	5 rm House	East Street	Estimated cost	$	3,500.00
[illegible] Allison	Repairs	39 Bartlett Street	"	"	12[illegible]
[illegible] Finestein	Garage	121 Charlotte Street	"	"	200.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, September 8, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

An application for permission to place waste cans at street intersections of the city on which to display advertising matter was, on motion, respectfully refused.

A Mr. Walden appeared before the Board and recommended a Mr. Clarence Edmonds for a position on the Asheville Police Force.

Mr. Walden was assured that his recommendation would be given careful consideration.

It appearing to the Board of Commissioners that the widening of Oak Street, Charlotte Street, Woodfin Street and Valley Street is a public necessity and would not only provide a thoroughfare in and to the northern section of the city but would tend to greatly increase the possibilities of that section growing and enlarging, also tend to increase property values, it was ordered, on motion, that a map or plat submitted by the City Engineer showing the zone of benefits and damages on account of the proposed widening be adopted by the Board and that W. R. Messer, Chief of Police be appointed special agent for the city to confer with interested property owners in an effort to reach an agreement on account of the proposed improvement..

The proposition of Mrs. Swatzberg to deed to the City a right of way in order that Nelson Alley may be opened through from Tiernan Street to Bartlett Street was presented to the Board and, on motion, taken under advisement; the Board agreeing to go over the ground and investigate conditions in person.

On motion, the following building permits were granted:

Dr. E. W. Grove,	Garage	Near Battery Park Hotel	Estimated cost	$	500.00
Geo. Couch	3 rm House	Hall Street	"	"	400.00
Mrs. L. Robinson	Porch	160 S. Liberty Street	"	"	[illegible].00
Walter Groon	6-rm House	Cumberland Circle	"	"	6,000.00
J. M. McDowell	6-rm House	23 Hamilton Street	"	"	4,000.00
Mayor Gallatin Roberts	Garage	134 Brevard Road	"	"	115.00

On motion, adjourned.

Secretary-Treasurer.

Friday, September 9, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The compaint of J. L. Angel, Third Avenue West Asheville, that the sewer on that street should be lowered at least 18 inches at once, as same is now open and would cause him considerable trouble and expense in case of a heavy rain, was presented to the Board.

This matter, on motion, referred to the City Plumber for immediate investigation and report.

The request for a street light in front of 18 Vance Street was, on motion, referred to the Commissioner of Public Works.

A complaint that a building on Depot Street near the Glenrock Hotel was occupying part of the street was, on motion, referred to the City Engineer for immediate investigation and report.

One John G. Morris, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was on motion approved and it was ordered that he be granted the license requested.

All weekly payrolls were passed for payment.

Reports from the Street, Street Cleaning, Health, Incinerator, Public Nursing Association, Plumbing Inspector, Building Inspector, Electrical Inspector, Sealer of Weights and Measures, Supervisor of Playgrounds and the Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

Jas. Bailey	Recover House	236 Fredrick St.	Estimated cost	$ 150.00
J. J. Goldstein	4-rm Addition	Hill & Gudger St	" "	500.00
N. F. Corn	1-rm Dwelling	Brownwood Avenue	" "	150.00
R. B. Sams	Garage	Haywood Road	" "	150.00
A. E. Mitchell	Garage	Tremont Park	" "	50.00
W. A. Rogers	4-rm Bungalow	Lufty Street	" "	1,800.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, September 10, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A request that a 4 inch water main be extended into Arborvale Park, was, on motion, referred to the Commissioner of Public Works for investigation and report.

The application of one W. C. Kizer, a blind man, for permission to sell pencils on the streets of the city, was on motion, respectfully refused.

On motion, it was ordered that one A. J. Kantsios be granted a refund of one-half ($11.00) of the license tax paid by him to sell cigars, cigarettes, tobacco and soft drinks on Patton Avenue.

This action taken in view of the fact that Mr. Kantsios was forced out of business on account of the owner building on the lot which he occupied.

This being the time set by the Board to consider the final passage of the Ordinance regulating tubercular sanitariums in the City, discussions were invited pro and con.

Mr. L. G. Harwood spoke at some length in favor of the pro and con ordinance from the viewpoint of a visitor to the City, explaining that the present policy of allowing tubercular sanitariums to spring up all over the city was materially injuring it in the tourist class

He also called the attention of the Board to the fact that some two years ago he had purchased a very valuable piece of property in the city with the intention of constructing thereon a one hundred room appartment house, but after making the purchase he discovered that the adjouring house was occupied by a tubercular sanitarium, therefore, he abandoned the idea.

He stated that if the present ordinance was passed and rigidly enforced unquestionably it would react to the interest of the city, especially so far as the tourists are concerned.

Dr. Dunn, Dr. Frazier and Dr. Ringer spoke in opposition to the ordinance. Dr. Ringer suggested that the ordinance be amended by inserting a proviso that would make it permissible to erect a sanitarium provided permission of the adjoining property owners could be secured.

He stated further that the present ordinance would unquestionably force all of the sanitariums now situated on Sunset Drive out of business.

Attorney Gilmer Welsh spoke in favor of the proposed ordinance, stating that the conduct of tubercular sanitariums unquestionably lowers the value of adjoining property, and that in his knowledge, the tubercular specialists in the city always were careful to construct their residences as far as possible from such institutions.

Mr. H. F. Claudius called attention to his proposed amendments as requiring all tubercular houses to keep a notice posted in their office or reception rooms that they were permitted to keep people suffering from this disease.

On motion of the Commissioner of Public Works, it was ordered that the final passage of the ordinance be postponed until Saturday, September 17, 1921.

On motion, the following building permits were granted:

J. C. Dean	6 rm Residence	Haywood Road	Estimated cost	$ 5,000.00
Mary Jane Stagg	1 rm Addition	63 Ridge Street	" "	175.00
J. Blomberg	Repairs	Near Passenger Depot	" "	2,000.00
Myrtle L. Logan	5 rm Dwelling	Brownwood Ave.	" "	2,000.00
J. P. Rich	Garage	Nevada Ave	" "	150.00

On motion, adjourned.

Secretary-Treasurer

Monday, September 12, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mrs. Ida Jolly Crawley appeared before the Board and reported that the City Plumber had investigated the possibility of installing plumbing in her house on Park Avenue next to the Park Avenue manual training department, and had reported to her that same could be installed at a small expense and with very little trouble.

Mrs. Crawley was advised that the matter had been referred to the Superintendent of City Schools and on his report would be considered by the Board.

The request of Judge Frazier Glenn, representing the Rotary Club, that the City furnish gratis the water used by the Boys' Club of West End, was on motion, referred to the Commissioner of Public Works for investigation as to the feasibility of disconnecting that part of the building used by the club from the other part.

Mr. J. V. Martin appeared before the Board and called attention to the necessity of including in the budget for the fiscal year ending August 31, 1922 an appropriation for the maintenance and improvement of public parks.

Mr. J. H. Buckner appeared before the Board and called attention to the fact that his father had recently had a building in West Asheville covered with tin without securing a permit and stated that if any law had been violated he would be willing to make any amends possible.

This matter, on motion, referred to the Commissioner of Public Safety for investigation and report.

The complaint of Mr. Crook in regard to assessments charged against his property on account of the construction of the Michigan Avenue sewer, was on motion, taken under advisement, the Board agreeing to go over the ground in company with the City Engineer and investigate conditions.

On motion, one I. L. Turbin, a man seventy-two year of age, was granted a license to run a public dray on the streets of the city gratis.

The request of Mr. J. B. Frady that the street light located near his residence on Biltmore Avenue be moved, was on motion, referred to the Commissioner of Public Works for investigation and report.

This being the day according to the City's advertisement, that bids were to be submitted on the furnishing of the supply of sand and stone to be used by the City for a period of six months, beginning September 15, 1921, the following bids were opened and canvassed by the Board:

William C. Doak Asheville, N. C.

Crushed Stone at Ardmion Park Quarry $2.25 per yard.

Asheville Construction Co. Asheville, N. C.

Crushed Stone, Delivered anywhere in city $3.50 per cubic yard
" " Bin delivery at our quarry 2.70 " " "

River Washed Sand, Delivered anywhere in city $1.40 per cubic yard

Merchants Transfer Company Asheville, N. C.

Crushed Stone at quarry $2.25 per Yd.
" " delivered 3.45 " "

Sand, Delivered any point within city 1.40 per Yd.

Pickens-Bradley & Co. Asheville, N. C.

Clean River Washed Sand on River Bank at Sand Pit $ .40 Per Yd.
Clean River Washed Sand Delivered in City 1.25 " "
Stone #2 at Quarry 2.25 " "
Stone #2 Delivered in city 5.45 " "
Chippings at Quarry 2.25 " "
Chippings Delivered in City 3.45 " "

W. F. Rogers Asheville, N. C.

Sand Delivered in the City 1.39
Sand at the River .39

On motion, all bids submitted were taken under advisement for the present.

An ordinance authorizing the issuance of $20,000 Fire Department Bonds of the City of Asheville, and providing for the payment of the principal and interest thereof, was on motion, passed on its first reading.

On motion, adjourned.

F. R. Condon
Secretary-Treasurer.

Tuesday, September 13, 1921-- [illegible], A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of the Richmond Window Cleaning Company that the [illegible] the washing of windows after [illegible] o'clock, A. M., be amended to [illegible] conducted until [illegible] o'clock, A. M., was on motion, respectfully refused.

On motion, one [illegible] T. Hartlett was granted a license, on the payment of $[illegible], to conduct a merry-go-round on private property on Southside Avenue for one week only, with the understanding that the following conditions are to be complied with:

First; that said merry-go-round [illegible] of 4 and [illegible] P. M. [illegible] P. M.

Second; that the premises on which said merry-go-round [illegible] at all times, be kept in a cleanly and sanitary condition.

Third; that the owner or person in charge of said merry-go-round must, at his own expense, appoint a man designated by the Chief of Police of said City to act as special policeman to maintain order at all times while said merry-go-round is in operation.

Fourth; that said merry-go-round will not cater to [illegible] white and colored patrons on the same day, it being understood that said merry-go-round will be operated alternately, one day for colored and one day for white.

Fifth; that said business must be conducted in accordance with the laws of the State and the ordinances of the City and rules and regulations of the Health Department fully complied with.

The Commissioner of Public Safety reported that he had investigated the recovering by Mr. J. H. Buckner of his house on Haywood Road, and found that said work had been done by Mr. Buckner without securing a building permit therefor, therefore, the matter had been referred to the Building Inspector.

A petition, signed by property owners on Evelyn Place requesting the installation of a post lighting system on that street, was, on motion, referred to the Commissioner of Public Works for investigation and report.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE)

We, the undersigned property owners and tax payers in the City of Asheville respectfully request your Honorable Board to install a Post Lighting System on the Street known as Evelyn Place in Grove Park Section in the City of Asheville (this system already [illegible] in operation on another street in this residential section). Evelyn Place now being in complete darkness renders it inconvenient for those residing on that street to go to and from their homes after dark, and your petitioners will ever pray.

G. A. Petteway
E. W. Grove, by W. R. [illegible], Agent
E. H. Luckett
W. [illegible] Northup
J. R. Oates

This the 6th day of September 1921

On motion, the following refunds of water rent were allowed:

Name	Address	Excess	Refund
rs. Swanygin	[illegible] Depot Street	$ 1.80	$ [illegible]
. E. Shuford	479 Depot Street	9.30	4.65
. O. Whitted	56 Ralph Street	15.60	7.80
. K. Cristopher	256 Southside Avenue	3.50	1.75
wen Gudger	472 South French Broad Ave	12.22	6.11
ugene Murrough	134 South Beaumont Street	5.41	2.70
. C. Myers	39 Central Avenue	2.15	1.07
. S. Lee	[illegible] Dixon Street	4.83	2.41
. M. Orr	200 College Street	2.44	1.22
artha Brown	43 Rector Street	7.81	3.90
. G. King	3 Hall Street	6.78	3.39
. F. Wilson	137 Clingman Avenue	6.39	3.19
. E. Rumbo	49 Zillicoa Street	19.15	9.57
rs Sarah Knight	5145 Haywood Road	5.68	2.84
rs. Wesley Hamn	60 Holland Street	.40	.20
. C. Crane	450 Broadway	5.23	2.61

An ordinance authorizing the issuance of $20,000 Fire Department Bonds of the City of Asheville and providing for the payment of the principal and interest thereof having been passed on its first reading at the regular meeting of the Board at 11 o'clock, A. M. on September 13, 1921, the Mayor presented a sworn statement of the indebtedness and assessed valuation of the City of Asheville for the information of the Board before the final passage of said ordinance.

On motion of the Commissioner of Public Works, seconded by the Commissioner of Public Safety, and unanimously adopted the financial statement, as presented, was adopted and ordered filed in the office of the Secretary-Treasurer for the inspection of any interested citizen or tax payer.

CITY OF ASHEVILLE, N. C.
Sworn statement of indebtedness, compiled in accordance with the provisions of the Municipal Finance Act, and filed with the Clerk of said City after the introduction and before the final passage of a Bond Ordinance authorizing $20,000 Fire Department Bonds, dated September 1st, 1921

Section					
2943	A	The total amount (hereinafter referred to as the gross debt) of the outstanding floating debt incurred before March 7, 1919, the bonded debt outstanding, and the bonded debt to be incurred under ordinances or other proceedings passed, taken or pending, exclusive of debt incurred or to be incurred in anticipation of the collection of taxes or in anticipation of the sale of bonds, is			
	1	Outstanding Floating Debt incurred before March 7, 1919			
		Total Floating Debt		174,952.33	
		Less notes anticipating the Sale of Bonds listed hereinafter	150,000.00		
		Less notes issued since ratification of Municipal Finance Act of 1919 and therefore treated as anticipating the collection of taxes	8,808.00		
				158,808.00	
		Floating Debt compiled in accordance with the provisions of the Municipal Finance Act of 1919			16,144.33
	2	The Bonded Debt Outstanding			
		Water Bonds		699,000.00	
		Sewerage Bonds		213,000.00	
		Street Improvement Bonds		776,000.00	
		School Bonds		593,000.00	
		Market House Bonds		20,000.00	
		Incinerator Bonds		10,700.00	
		Floating Debt Funded		467,000.00	
					2,778,700.00

	3	The Bonded Debt to be incurred			
		Market House Refunding Bonds	15,000.00		
		School Bonds	550,000.00		
		Water Bonds	25,000.00		
		Street Bonds	90,000.00		
		Sewer Bonds	40,000.00		
		Funding Bonds	12,000.00		
		School Refunding Bonds	24,500 00		
		Deficit Bonds	50,000.00		
		Fire Department Bonds "This Issue"	20,000.00		
					826,500.00
	B	The total of the following amounts (hereinafter referred to as the deductions), is			
	1	The amount of unissued funding or refunding bonds included in the Gross Debt, is		None	
	2	The amount of Sinking Funds or other funds held for the payment of any part of the Gross debt other than existing debt incurred for revenue producing Enterprises, and deducted as provided hereinafter, is			
		Cash	23,965.70		
		Investments	37,950.00		
				61,915.70	
	3	The amount (actual or estimated) of uncollected special assessments levied or to be levied on account of local improvements for which any part of the Gross Debt was or is to be incurred and applicable to the payment of any part of the Gross Debt, is			
		Actual Assessments Outstanding	204,049.72		
		Estimated ($90,000 Street Bond issue)	55,000.00		
				259,049.72	
	4	The amount of Bonded Debt included in the Gross Debt and incurred within five years prior to date of said statement, or to be incurred for water, gas, electric lights or power purposes, or two or more of said purposes, is			
		Water Bonds dated Feb.1,1920	350,000.00		
		Water Bonds to be incurred	25,000.00		
				375,000.00	

5 The amount of bonded debt (other than bonded debt included in sub-division (4) of this clause "1" included in the gross debt and incurred for any revenue-producing enterprise owned by the municipality, which during the fiscal year immediately preceeding the date of this statement, and ending Aug. 31, 1921, yielded to the municipality current net revenue, after making any necessary allowance for repairs and maintenance, in excess of the interest payable on the debt in that year or period and of the annual installment determined as provided in subdivision 4 of Section 19 of the Municipal Finance Act) necessary to be raised in that year or period for the amortization of the debt, is 125,952.00 — 125,952.00

Total deductions — 819,917.42

3,621,344.33 — 3,621,344.33

(D) The assessed valuation of property subject to taxation by the Municipality for each of the three years in which taxes were last levied, and the average thereof, is

Assessed valuation of property subject to taxation for the year 1919 — 30,035,935.00

Assessed valuation of property subject to taxation for the year 1920 — 34,650,315.00

Assessed valuation of property subject to taxation for the year 1921 — 54,550,000.00

Total for the three years in which taxes were last levied — 139,224,240.00

43,074,746.66

(E) The percentage that the net debt bears to said average assessed valuation is 6.503%

-----000-----

Debt limit 10% of $43,074,746.66 (average valuation above) — 4,307,474.66

Present net debt including actual and authorized — 2,801,426.91

Balance allowed under Municipal Finance Act of 1919 — 1,506,047.75

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE } ss.

I, Gallatin Roberts, Mayor-Commissioner of Public Accounts and Finances of the City of Asheville, North Carolina, do hereby certify that the foregoing statement is true and correct as shown by the books in my office.

GALLATIN ROBERTS
Mayor-Commissioner of Public Accounts and Finances.

Subscribed and sworn to before me, this the 13th day of September, 1921

EVERGIN PENNELL
Notary Public.

My commission expires Feby 7, 19__

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE } ss.

I, F. L. Conder, Clerk of the Board of Commissioners of the City of Asheville, do hereby certify that the foregoing is a true and correct copy of a statement sworn to by the Mayor-Commissioner of Public Accounts and Finances of the City of Asheville, filed with me after the introduction on September 1921 of an ordinance authorizing the issuance of $20,000 Fire Department Bonds of the City of Asheville and providing for the payment of the principal and interest thereof, and before the final passage of said ordinance on the day of September, 1921.

WITNESS my hand and the official seal of said City, this the day of September, A. D. 1921.

Clerk of the Board of Commissioners
City of Asheville, North Carolina.

An Ordinance authorizing the issuance of $20,000 Fire Department Bonds of the City of Asheville and providing for the payment of the principal and interest thereof, was on motion of Mayor Gallatin Roberts, seconded by Commissioner R. L. Fitzpatrick and unanimously passed on its second reading.

On motion of the Commissioner of Public Safety, seconded by the Commissioner of Public Works, the rules were suspended, this ordinance placed on its third and final reading, and was declared in force and effect in accordance with the provisions of the law in such cases made and provided.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $20,000 FIRE DEPARTMENT BONDS OF THE CITY OF ASHEVILLE AND PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its bonds for the purpose of providing funds for the erection of an additional fire station.

Section 2. That the maximum aggregate principal amount of said bonds shall be $20,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the city has been filed with the Clerk, pursuant to said act, and is open to public inspection.

Section 5. That the average assessed valuation of property subject to taxation by the municipality for the three fiscal years in which taxes were last levied, being the years 1919, 1920 and 1921, as shown by the statement referred to in the foregoing section, is $43,074,746.66

Section 6. That the amount of the net debt of the City of Asheville outstanding, authorized or to be authorized, as shown by said statement, is $3,801,426.91

Section 7. That this ordinance shall take effect thirty days after its first publication unless in the meantime a petition for its submission to the voters is filed under the Municipal Finance Act, and that in such event it shall take effect when approved by the voters of the municipality at an election as provided in said act.

I move the adoption of the foregoing ordinance, this the 13th day of September, 1921.

GALLATIN ROBERTS
Commissioner.

Approved as to form:

Corporation Counsel.

The foregoing ordinance was passed on the day of September, 1921, and was first published on the day of September, 1921.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its publication.

Secretary-Treasurer

On motion, the following building permits were granted:

Lake Zeltner	Recover House	104 Livingston St	estimated cost $	30.00
I. Michalove	5 rm bungalow	Pisgah Avenue	" "	6,000.00
[illegible] Swearen	7 rm House	Madison Street	" "	1,500.00
[illegible] & Bowlin	5 rm House	Cash Street	" "	300.00
[illegible] Bibby	4 rm House	Boston Street	" "	900.00
Dr. E. M. Tennent	Garage	207 Pearson Drive	" "	200.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, September 14, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, Judge C. L. Harney was appointed Substitute Judge of the Police Court to convene said court during the absence from the city of Judge R. M. Wells and Substitute Judge Jay Weaver.

On motion the Director of Public Accounts and Finances was authorized and instructed to advertise for sale all delinquent taxes.

On motion, the Purchasing Agent was authorized and instructed to advertise for bids for the construction of the fire station on Bartlett Street near the intersection of Ralph Street subject to the plans and specifications prepared by Mr. T. E. Davis, Architect.

A committee representing the wholesale and retail lumbermen appeared before the Board and stated that the special license levied on the lumber dealers was unfair, and asking that this tax was, in their opinion, discrimination, very few of them doing any business at all within the city limits, their offices being [illegible].

This matter, on motion, was referred to the Commissioner of Finance and Revenue.

A complaint of the special tax levied on automobile repair shops, was made, on motion, taken under advisement.

On motion, all said monthly payrolls were passed for payment.

On motion, adjourned

Secretary-Treasurer

Thursday, September 15, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mrs. E. R. P. [illegible], who owns property adjoining the Harney Heights property on Haywood Road, appeared before the Board and called attention to the fact that she had put in her own water, sewer and lighting plant and was without police and fire protection, therefore, she thought she should not be required to pay the same city taxes as paid by others who had the advantage of being furnished these conveniences by the city.

When asked if the Commissioner of Public Works knew where her sewer emptied, Mrs. Zeigler stated that same emptied into a branch on her place. Mrs. Zeigler was informed that this was in violation of the state law and this matter was, on motion, referred to the Commissioner of Public Works for investigation and report.

In the matter of a reduction in her taxes, Mrs. Zeigler was informed that she would have to take this proposition up with the County Commissioners and endeavor to get the assessed value of her property lowered, the Board of Commissioners having absolutely no power in the matter.

A communication signed by Mr. Henry F. Claudius, relative to the adoption of the proposed Tubercular Ordinance was read, and on motion, ordered filed:

Hon. Mayor and City Commissioners,
Asheville, N. C.

Gentlemen: Regarding your Sanitorium Ordinance I wish to say that I am under contract in a transaction wherein I advanced $1300 to the City to build a central mail [illegible] and a dozen surrounding cottages all for Tubercular. I will respectfully state that the city has no right to change this contract by ordinance or otherwise without my consent.

But if you will now repay the balance of the $1300 still due by you I am inclined to consider the altering of this contract if you so wish.

Respectfully yours,

Henry F. Claudius,
41 Forest Street

Sept. 14-1921

A committee composed of Messrs. C. D. Carter, S. D. Hall, Bert Ingle, H. E. Posey and Mr. Anderson and other property owners owning property located beyond Horney Heights in West Asheville, appeared before the Board and asked that the City install a water line in that section of the City, explaining that the property was being developed very rapidly and it was necessary that some immediate action be taken to furnish them with water.

This matter, on motion, referred to the Commissioner of Public Works with a request that he have the City Engineer make a survey of the water line necessary and submit an estimate of the cost of the proposed line to the Board.

The complaint of a Mr. Wilson of alleged damage to his property located at the intersection of Ocala Street and Broadway by a storm sewer emptying thereon was, on motion, taken

...ment; the Board proceeded to view the ground and investigate its condition this afternoon at 2:30 P. M.

One Harry L. Whitson, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Mrs. Sherrill	Private garage	24 Dundee Street	Estimated cost		$ 248.00.
J. B. Dudger	Restaurant shop	Broadway	"	"	1,000.00.
D. D. Myers	Pantry	73 Vermell Ave	"	"	50.00.

On motion, adjourned.

Secretary-Treasurer.

Friday, September 16, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

It appearing to the Board that the bid submitted by Pickens, Bradley & Co, for the supply of crushed stone for a period of six months, was the best and lowest bid submitted, it was, on motion, ordered that the contract for the supply of these materials for a period of six months be awarded to that concern on its price as follows:

Sand; delivered $1.25, river bank .40

Stone; delivered 1.45, at quarry 2.25

A committee of Mrs. T. Coige Hart Principal A. F. Hitchins of the Asheville High School and forbidden the walls of the Asheville High School to trade in her stone at Lake Park Beach, was on motion, taken under advisement.

On motion, it was ordered that Mr. V. I. Berry be refunded $1.00, paid by him for a chauffeur's renewal license, the same being from the original license since purchased the renewal.

On motion, all weekly payrolls were passed for payment.

Reports from the District, Street Cleaning, Health, Incinerator, Public Health Nursing Association, Chief Inspector, Electrical Inspector, Building Inspector, Superintendent of Playgrounds, and Dog Catcher were read and on motion ordered filed.

On motion, the following building permit was granted:

Mrs. L. B. [illegible] 7 room house Merrimon Road Estimated cost $5,000.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, September 17, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, it was ordered that the license issued to one Gay Banks to run a one-horse dray in the city be transferred to J. A. Henderson; Mr. Henderson having purchased the business.

The request of one F. W. Scott that the City extend a sewer and water line to connect certain property on Horse Shoe Curve was, on motion, referred to the Commissioner of Public Works for investigation and report.

On motion, the application of one J. M. Smith for refund or transfer of license privilege granted him to run a restaurant and sell cigars, cigarettes and tobacco, and ice cream was respectfully refused.

This being the day set by the Board to consider the adoption of the ordinance regulating tubercular sanitariums in the city, discussions were invited pro and con.

Attorney Vonno Gudger, Messrs. Frank H. Loughran, F. W. Thomas, Judge Ward and Dr. Dunn spoke on the matter somewhat at length; all being of the unanimous opinion that the ordinance should be amended so as to permit the operation of a sanitarium within the limit of adjoining property provided said property is owned by the person in charge of the sanitarium or permission can be secured from the owner of said property for the continuation of such business.

The Mayor stated that he had several suggested amendments on file. Attorney R. R. Williams suggested that these amendments be referred to the Corporation Counsel for report as to their legality and that the matter be held in status quo until the Corporation Counsel's report is received, at which time parties interested afforded another opportunity to be heard.

On motion, Attorney Williams' suggestion was adopted and it was ordered that the proposed amendments be submitted to the Corporation Counsel and that the matter be re-opened on receipt of his report.

One Robert Maynard having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Carolina Creamery Co.	Garage	Patton Avenue	Estimated cost		$ 1,[illegible].00
T. G. Deshler	Farm Bungalow	72 Magnolia Ave.	"	"	3,[illegible].00
Patton Gudger	Repairs	177 Clingman Ave.	"	"	[illegible].00
C. L. Lyda	Recover House	13[illegible] Lyman (rear)	"	"	[illegible].00
R. R. Rayburn	Garage	224 Broadway	"	"	[illegible].00

On motion, adjourned.

Secretary-Treasurer.

Monday, September 19, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding; Mayor Roberts absent. The minutes of the previous meeting were read and approved.

On motion, Mr. C. T. Hartlett was granted an extension of one week to operate his merry-go-round on Patton Avenue on the payment of the license tax of $25.00

Attorney Marcus Erwin, representing Mrs. Eliza Crane, appeared before the Board and asked for an immediate answer on his client's claim for damages by reason of being run over by the City's truck on Patton Avenue some time ago. Mr. Erwin was informed that this matter was now in the hands of the Corporation Counsel, who would be asked for an immediate report and the matter taken up and decided at an early date.

One Lloyd N. Young having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, adjourned.

Secretary- Treasurer.

Tuesday, September 20, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

The request for a street light on Adams Street near Southside Avenue was referred to the Superintendent of Public Works.

A request that the Board condemn land and open a street extending from Logan Street to the tracks of the Asheville Street Railway Company was, on motion, referred to the Corporation Counsel for legal advice as to what steps to take to secure a right-of-way across said railway company's track.

On motion, the following building permits were granted:

Boyde T. Morgan	Repairs	113	Woodrow Avenue	Estimated cost	$ 300.00
F. W. Mariner	5-rm House		Louisiana Avenue	" "	2,500.00
W. J. Patton	Addition	36	Southside Avenue	" "	100.00
C. W. Brown	4-rm House		West Asheville	" "	70.00

On motion, adjourned.

F. H. Condrey
Secretary-Treasurer

Wednesday, September 21, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

The application of the George Young for a license to operate a public service automobile in the City, was on the recommendation of the Commissioner of Public Safety, on motion, respectfully refused.

The Commissioner of Public Safety advised that his recommendation was based on the criminal record of the applicant; said record shows that he was arrested in May 1921 for retailing liquor, given a sentence of six months with power to the County Commissioner to hire him out.

On motion, the following building permit was granted:

[illegible]	[illegible]	42	Ralph Street	Estimated cost	$ 150.00

On motion, adjourned.

F. H. Condrey
Secretary-Treasurer

Thursday, September 22, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

One George Young, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

A recommendation of the Chief of Fire Department requesting certain improvements to the fire alarm system was read and, on motion, ordered filed:

September 21, 1921.

Mr. R. L. Fitzpatrick
Commissioner of Public Safety,
City Hall.

Dear Sir:

I desire to make recommendations for some improvements in the Fire Alarm System.

Our #3 circuit is overloaded, having about 25 street boxes and the signalling apparatus for the West Asheville Station connected on it, the depot station will also be connected on this circuit and there are two or three firemen who want tappers connected in their houses which it is impossible for me to do, as the National Board of Fire Underwriters only permit twenty boxes on a circuit, you will see that this one is considerably overloaded.

In order to correct this it will be necessary for us to divide this into two circuits, for which it will be necessary to purchase a new battery rack and approximately two miles of wire and the necessary cross-arms and insulators and labor for installing the same. The approximate cost of this improvement will be between five and six hundred dollars.

I feel it very necessary to get this work done during the summer months as I would hate to operate this heavy circuit during another winter, as the wire covers a[illegible] one-half of the City, taking in all of the Flint Street and Montford Avenue sections; all of West Asheville; West end section, Depot section and French Broad Avenue section.

So you can see that trouble occuring on the same circuit puts out of commission almost half of our fire alarm system.

Respectfully submitted,

A. L. Duckett
Chief of Fire Department

ALD/J

On motion, the following building permits were granted:

[illegible] M. Freck	6-rm Bungalow		Cherry Street	Estimated cost	$ 6,500.00
[illegible] M. Freck	6-rm "		" "	" "	6,500.00
[illegible] M. Freck	6-rm "			" "	[illegible]
[illegible] H. Lassiter	2-rm Addition		Rankin Avenue	" "	[illegible].00
[illegible]entral Church	2-rm Addition		Biltmore Avenue	" "	1,[illegible].00
[illegible]. R. Martin	Repairs		Church Street	" "	[illegible].00
			17 Park Avenue	" "	150.00

On motion, adjourned.

[illegible]
Secretary-Treasurer.

Saturday, September 24, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Colonel Pittner again appeared before the Board and called attention to the necessity of a water line to accommodate property in Arborvale Park.

In connection with this matter, the Commissioner of Public Works reported that the water line necessary would require about 1250 feet of 4 inch pipe and three fire hydrants, costing installed in the neighborhood of $1,200.

On the recommendation of the Commissioner of Public Works it was ordered, on motion, that the Purchasing Agent be instructed to advertise for bids for the installation of this water line; the work to be done in accordance with the specifications of the City Engineer, and the lowest and best bid to be turned over to Colonel Pittner, who will pay the entire cost of the work with the understanding that the City will reimburse him at some future date.

In connection with the application for a building permit filed by Mr. W. H. Michalove for the construction of a combination store building and residence, Attorney W. H. Whitson, representing interested property owners, appeared before the Board and objected strenuously to the permit requested and filed a petition signed by property owners in that vicinity objecting.

Building Inspector F. F. Howell stated that he had investigated the location where it is proposed to construct the building and would recommend that the present storm sewer over which the proposed building will be erected be enlarged before the work is started.

Attorney Spears Reynolds, representing Mr. Michalove, stated that the present storm sewer was constructed by the City and if same was not satisfactory his client was not responsible, however, his client expected to re construct that portion of the storm sewer on his property out of concrete making it sufficiently large to eliminate all objections. Attorney Reynolds also stated that the proposed building would cost in the neighborhood of $8,[illegible] and would be the equal if not the superior of any building on the street; that the business to be conducted in the proposed building would be such as to not prove objectionable to parties residing in that vicinity; his client contemplating renting or using the proposed building as a drug store. Judge Reynolds suggested that the Board go over the ground and investigate conditions in person and he assured the Board that his client would be glad to comply with any recommendations made with reference to the construction of the storm sewer so far as his property in concerned.

On motion, it was ordered that the matter be taken under advisement; the Board agreeing to go over the ground and investigate conditions in person.

(Copy of Petition)

State of North Carolina,
City of Asheville

To the Honorable Mayor and
Board of Commissioners of the
City of Asheville, N. C.

We the undersigned being informed that an application for permission to erect a store building on Central Avenue immediately north of number nine Central Avenue in this city, respectfully submit and represent to you as follows:

1st:- That we are residents or property holders residing in this section of our city.

2nd:- That we are and all wish to protest against any such permission being given.

3rd:- This section of the street mentioned is peculiarly a residence section and the erection of a mercantile house of the kind proposed, at the place proposed would produce a very objectionable state of affairs to the residents of that section of our city.

4th:- That we most earnestly protest against your body granting permission to erect such character of house at such place.

Respectfully submitted this September the 14th, 1921

Miss R. L. McMinn
Mrs. C. M. Williams
T. W. Whitmire
W. W. Atkins
W. E. Britt

H. H. Johnson
American Natl Bank by
A. E. Rankin Cashier
W. W. Britt
J. R. Hare

The request of Mr. W. M. McDowell that the City construct a terra cotta pipe storm sewer on Hamilton Street together with his proposition to do all of the other work necessary provided the City would construct this storm sewer was, on motion, referred to the Commissioner of Public Works.

The request of Mr. Whitamore that the City lay out a road or street from his property located on the lower end of Westwood Place to Westwood Place was, on motion, taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

One Harry [illegible], having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

J. E. BEACHBOARD

The resignation of J. E. Beachboard from the Police Department was tendered and on motion, accepted with regrets.

On the recommendation of the Commissioner of Public Safety, it was ordered, on motion, that J. L. McHone, W. M. Ponders and John Colvin be appointed as members of the local police force to fill vacancies now existing.

FAIRFLAX STREET

On motion, a map or plat submitted by the City Engineer was adopted as the zone of benefits on account of the proposed extension of Fairflaw Street in West Asheville and W. R. Messer was appointed Special Agent for the City to confer with interested property owners with reference to securing a right of way through which to extend said street.

FIRE ALARM SYSTEM

On motion, a report of the Chief of Fire Department under date of September 21st recommending certain repairs and additions to the present fire alarm system was adopted and the Purchasing Agent was authorized and instructed to purchase the necessary material and supplies to make said repairs and extensions

On motion, it was ordered that Mrs. C. E. Hebard be granted an exemption of $36.35 charged against her property on account of the Michigan Avenue sewer line.

The opinion of the Corporation Counsel setting forth the legal steps necessary to take in order to secure a right of way across the tracks of the Asheville Power and Light Company for the extension of a new street from Logan Street to Haywood Road was read to the Board, and on motion, ordered filed.

Sept. 21, 1921

Honorable Mayor Commissioner and Board of Commissioners,
City of Asheville,
North Carolina.

IN RE: NEW STREET, LOGAN STREET
TO HAYWOOD ROAD.

Gentlemen:

In reply to your request for legal opinion as to what steps to take to secure a right-of-way across the tracks of the Asheville Power & Light Company, I have to advise that you will proceed in the same manner as provided for in other cases in which you desire to secure a right-of-way for opening a new street.

Very respectfully,

GP:B

Geo Pennell
Corporation Counsel.

The Corporation Counsel's report showing his investigation and recommendation in connection with the claim of Mrs. Eliza Crane for damages on account of alleged personal injuries, was read to the Board, and on motion, ordered filed.

Sept. 21, 1921

Honorable Mayor Commissioner and Board of Commissioners,
City of Asheville,
North Carolina.

IN RE: CLAIM OF MRS. ELIZA CRANE.

Gentlemen:

Replying to your communication of the 20th. instant, with reference to the above mentioned matter, I have to advise that I have carefully investigated the facts concerning same, and am of the opinion that this accident occured without any negligence on the part of any city employee, and that even if there been negligence at the time the city was engaged in a governmental function and in the long line of decisions of our Court, a municipality is not liable, and I therefore recommend that the claim be denied.

Very respectfully,

Geo Pennell

Corporation Counsel.

GP:P

A release in the case of H. D. Banks vs City of Asheville, Mr. Banks releasing the City from all claim for damages by reason of injuries to his automobile on Pearson Drive, for the sum of $40.00, was read to the Board, and on motion, adopted and ordered filed.

(Copy of Release)

STATE OF NORTH CAROLINA)

COUNTY OF BUNCOMBE)

KNOW ALL MEN BY THESE PRESENTS, that I, H. D. BANKS, for and in consideration of the sum of Forty ($40.00) Dollars in hand paid, receipt of which is hereby acknowledged, by the CITY OF ASHEVILLE, a municipal corporation organized and existing under and by virtue of the laws of the State of North Carolina, do hereby remise and release the said City of Asheville from any claim for damage of any kind whatsoever due by reason of the defective condition of Pearson Drive and injury sustained to my automobile and any damage personally, as a result of my car having run into an open man-hole on said Street on the 18th day of September, 1921.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 21st day of September, 1921.

H. D. Banks (SEAL)

WITNESS:

J. A. Scoggins.

The report of the City Engineer showing his investigation of the complaint that a house was being built partially on Else Alley was read to the Board, and on motion, ordered filed.

Sept. 17th, 1921

The Hon. Mayor & Commissioners.

Gentlemen: I was directed by you to investigate and report on a complaint made that a house was being built partly in Else Alley; a public alley. I have looked into the matter, and the only encroachment I find is an inch or two by Lampe's bld. The building is that much longer on that side than his lot is. I am told that Lampe says, he had his building located 3 feet in from the front of his lot; he may have intended to do so, but he certainly did not for as I said his building is just a little longer than his lot.

Yours respectfully,

B. M. Lee, City Eng.

File No. 1-C
Letters 21-C

A resolution authorizing and instructing the Secretary-Treasurer to advertise for bids returnable at 4 o'clock, P. M., October 6, 1921 for $[illegible],000 City of Asheville bonds was read to the Board and, on motion of Mayor Roberts, seconded by Commissioner Sherrill, unanimously adopted.

RESOLUTION ORDERING ADVERTISEMENT OF $550,000 SCHOOL BONDS, $40,000 SEWER BONDS, $90,000 STREET BONDS, $39,500 REFUNDING BONDS, $62,000 FUNDING BONDS AND $25,000 WATER BONDS OF THE CITY OF ASHEVILLE.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That the Secretary-Treasurer be and he is directed to publish a notice in the Asheville Citizen and the Asheville Times, published in Asheville, and in the Daily Bond Buyer, published in New York, stating that sealed bids are received for $550,000 School Bonds, $40,000 Sewer Bonds, $90,000 Street Bonds, $39,500 Refunding Bonds, $62,000 Funding Bonds, and $25,000 Water Bonds of the City of Asheville, all dated June 1, 1921 and authorized by resolutions passed May 27, 1921, which advertisement may be substantially in the following form:

$806,500
CITY OF ASHEVILLE, N. C.
GOLD BONDS

Sealed bids for the above bonds, addressed to the undersigned, will be received by the Board of Commissioners of the City of Asheville, at the City Hall, in said City, until 4 P. M., October 6, 1921, with interest at six per centum per annum, payable June 1st and December 1st, principal and interest payable in New York City in gold. Denomination (with the exception of one $500 bond), $1,000. Maturing June 1st, as follows:

$550,000 School Bonds, $10,000 annually 1924 to 1929; $20,000, 1930 to 1941; $25,000, 1942 to 1951

40,000 Sewer Bonds, $1,000, 1923 to 1958; $2,000, 1959 to 1960.

90,000 Street Bonds, $5,000, 1924 to 1929; $6,000, 1930; $7,000, 1931 to 1936.

39,500 Refunding Bonds, $1,500, 1923; $1,000 1924 to 1939; $2,000, 1940 to 1950.

62,000 Funding Bonds, $7,000, 1924 to 1928; $8,000, 1929 to 1931.

25,000 Water Bonds, $1,000, 1924 to 1948.

These bonds are to be prepared under the supervision of the United States Mortgage & Trust Company of New York City, which will certify as to the genuineness of the signatures of the city officials and the seal impressed thereon.

Purchaser will be furnished approving opinion of Chester B. Massich, Esq., New York.

All bids will bear interest at six per centum per annum.

These bonds are general obligations of the City and an unlimited tax for the payment of the principal and interest thereof has been authorized by law and ordinance.

Bids are desired on blank forms, which will be furnished by the City or said Trust Company.

Bonds will be delivered on or about October 13, 1921, at the office of the United States Mortgage & Trust Company, in New York City, and must be paid for on delivery.

Each bid must be accompanied by a certified check for two per cent (2%) of the face amount of the bonds bid for, drawn to the order of the City of Asheville or to the undersigned upon an incorporated bank or trust company, or cash in like amount, to secure the City against any loss resulting from the failure of the bidder to comply with the terms of his bid.

No bid under par and accrued interest will be entertained. The right to reject any and all bids is reserved.

GALLATIN ROBERTS.
Mayor-Commissioner of Public Accounts & Finances

I move the adoption of the foregoing resolution, this the 24th day of September, 1921.

GALLATIN ROBERTS COMMISSIONERS

Approved:

Corporation Counsel

W. R. Messer, Special Agent for the City, reporting that he had been unable to reach any agreement with interest property owners with reference to securing land necessary for widening Valley Street, Oak Street, Woodfin Street and Charlotte Street, the Mayor, was on motion, authorized to issue his writ for a jury to condemn land necessary for the widening of the above named streets.

September 14, 1921

Honorable Mayor and Board of Commissioners,
City of Asheville.

Gentlemen:

In accordance with the recent order of your Board, I beg to advise that I have conferred with some of the property owners owning property in the zone of benefits and damages laid out preparatory to the widening of Valley, Oak, Woodfin and Charlotte Streets, and have been unable to agree with any of the property owners interviewed as to the benefits or damages assessed to their respective properties.

Very respectfully,

W. R. Messer

SPECIAL AGENT.

Reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nursing Association, Supervisor Swimming Pool, City Plumber, Building Inspector, Plumbing Inspector, Electrical Inspector, Sealer of Weights and Measures, Supervisor of Playgrounds and the Dog Catcher were read and, on motion, ordered filed.

On motion, adjourned.

Secretary-Treasurer.

Monday, September 26, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

One Walter Nelson, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the City was, on motion, approved, and it was ordered that he be granted the license requested.

On motion of Mayor Roberts, seconded by Commissioner Fitzpatrick and unanimously adopted, it was ordered that Mr. Ronald Green be selected as architect to draw plans and specifications and supervise the work in connection with the construction of the Catholic Hill school, and Smith & Carrier be selected as architect to draw plans and specifications and supervise the work in connection with the construction of the West Asheville school; it being understood that these gentlemen are selected at the fee and price as stipulated in their propositions to the City and said propositions being of record in the minutes of the Advisory Board.

Recommendation of the Commissioner of Public Safety that the City purchase and install fire alarm boxes at the following locations was presented to the Board and on motion taken under advisement:

One - Choctaw and McDowell Street
" Grove and Phillips Street
" Clingman Avenue and Rector Street
" Spruce and College Street
" West College Street and Lexington Avenue
" Eagle and Market Street

On motion, adjourned.

Secretary-Treasurer.

Tuesday, September [illegible], 1921.-- [illegible], A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

Attorney Whitson, representing interested property owners, began argument before the Board and objected strenuously to the granting of the permit to Mr. S. T. Mc[illegible]ve for the construction of a store building on Central Avenue, calling attention to the fact that the property owners in that vicinity were opposed to the granting of the permit requested and that a store at that location would naturally tend to congest and retard traffic.

Mr. Michaloves stated that he expected to erect a building that would be a credit to the other buildings on the street and would make improvements, as far as the storm sewer is concerned, that the City requested.

The Board feeling that the property owners on the street should be given an opportunity to be heard before final action is taken, ordered that the matter be held in abeyance until the regular meeting of the Board at 11 o'clock September 30th.

[illegible]

On the recommendation of the Commissioner of Public Safety it was ordered, on motion, that the Purchasing Agent be authorized and instructed to order fire alarm boxes for installation at the following locations in the City:

1- Choctaw and McDowell Street
1- Grove and Phillip Street
1- Clingman Avenue and Rector Street
1- Spruce and College Street
1- West College Street and Lexington Avenue.
1- Eagle and Market Street.

The application of the Asheville Power & Light Company for permission to lay such gas pipes, gas mains and other appliances necessary to improve and extend its gas service, was presented to the Board, and on motion, referred to the Commissioner of Public Works, the Corporation Counsel and the City Engineer for investigation and report.

TO THE MAYOR AND COMMISSIONERS OF THE CITY OF ASHEVILLE:

Asheville Power and Light Company hereby applies to your Honorable Body to grant to it under the terms of its franchise for supplying gas to the inhabitants of the City of Asheville, permission to lay in the streets of said city hereinafter named, such gas pipes, gas mains, and other appliances, as may be necessary to improve and extend its gas service, such pipes, mains and fixtures to be laid in the following street, to-wit:

1. On Patton Avenue and Government Street from Aseland Avenue to Haywood Street.

2. On Haywood Street from its intersection with Government Street to its intersection with Flint Street.

3. Over Flint Street from its intersection with Haywood Street to its intersection with Magnolia Avenue.

4. Over Magnolia Avenue from its intersection with Flint Street to Broadway, formerly South Main Street.

5. Over Broadway from its intersection with Magnolia Avenue to its intersection of Chestnut Street.

6. Over Chestnut Street from its intersection with Broadway to its intersection with Charlotte Street.

7. Over Charlotte Street from its intersection with Chestnut Street to the intersection with Edwin Place.

8. Over Merrimon Avenue from Chestnut Street to Hillside Street.

9. Over Coleman Avenue and Edwin Place from the intersection of Coleman Avenue with Merrimon Avenue to the intersection of Edwin Place with Charlotte Street.

10. Over West Chestnut Street from Flint Street to Montford Avenue.

11. Over Church Street from First Street to Aston Place, and over Aston Place from Church Street to Ravenscroft Street.

12. Over Henrietta Street from Annandale Avenue to Spears Avenue.

This September 27, 1921

Respectfully submitted,

[illegible] AND LIGHT COMPANY,

BY, J[illegible]. Caldwell

[illegible]ENT OF ITS GAS DEPARTMENT.

The application of Mr. A. W. Faulkner for permission to construct a garage on Carter Street was, on motion, taken under advisement in order that the property owners owning property in the vicinity of the proposed garage might be given the opportunity of being heard in the matter.

On motion, the following building permits were granted:

Tom Johnson	4-rm. House	Pine Grove Ave.	Estimated cost		$ 1,500.00
Carolyn A Stark	Cottage	Blue Ridge Ave. W.A.	"	"	3,000.00
Jas. [illegible] Brooks	Repairs	283 State Street	"	"	100.00
[illegible] Hyder	6-rm House	Arbor[illegible]le Park-Houston Street	"	"	1,500.00
Mrs. Orgain	-rm Bungalow	Baker Street W.A.	"	"	4,000.00
[illegible] Goldstein	[illegible] House	47 Hill Street	"	"	200.00
Asheville Enterprise, Inc.	Remodel Bldg	32 Patton Avenue	"	"	8,000.00

On motion, adjourned.

J. J. Conder
Secretary-Treasurer

Wednesday, September 28, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Whitson again appeared before the Board in behalf of his clients objections to the proposed building on Central Avenue by Mr. S. H. Michalove.

As information to the Board, Attorney Whitson read several decisions of the Supreme Court tending to show that the Board had the legal power to refuse to grant the permit requested, if it so decided.

After some discussion, during which it was brought out that the erection of the proposed building would undoubtedly tend to better sanitary conditions in that vicinity and that the Board did not feel inclined to take any action that would tend to retard building activities in the City without exceptionally good reasons, it was ordered, on motion, that Mr. S. H. Michalove be granted a building permit to erect a building containing six dwelling rooms and one store room on Central Avenue, estimated to cost $6,000; provided, the storm sewer now located on the lot on which it is proposed to erect this building, is enlarged and repaired in accordance with specifications furnished by the City Engineer

As evidence that the Board wishes to get all the information possible and to study conditions thoroughly relative to the passage of the ordinance regulating tubercular sanitariums in the City, the Commissioner of Public Works moved that a committee be appointed to study the matter carefully and report its findings and recommendations to the Board on the earliest date possible, and suggested that the following gentlemen be named on said committee: Mr. P. M. Burdette, Mr. P. D. Estes, Rev. R. F. Campbell, Mr. S. Lipinsky, Drs. W. L. Dunn, E. B. Glenn and C.V. Reynolds.

He also suggested that the Corporation Counsel be requested to meet with this committee in an advisory capacity and act as its legal advisor.

The motion of the Commissioner of Public Works, being duly seconded was unanimously adopted.

A request that Nevada Avenue be cindered was, on motion, referred to the Commissioner of Public Works.

An ordinance compiled in accordance with the Municipal Finance Act preparing a plan for financing the City of Asheville during the ensuing fiscal year based upon the detailed itemized estimates and statements, was presented to the Board, and, on motion, ordered referred to the Corporation Counsel for approval as to its legality.

On motion, the following building permits were granted:

C. L. Fitzgerald & K. C. Rolling	5 Rooms & Sleeping Porch	36 Orchard	Estimated cost		4,000.00
W. B. Ray	1 Room	22 Orange	"	"	25.00
Mrs. M. H. Harris	[illegible] Room House	[illegible]ville St	"	"	3,000.00
S. H. Michalove	2 Room House-1 Store room	Central Ave.	"	"	6,000.00

On motion, adjourned.

Secretary-Treasurer.

Asheville, N. C., Friday, Sept. 30th., 1921
11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding, the minutes of the previous meeting read and approved.

This being the day, according to the City's advertisement, that bids were to be submitted on two 2 ton trucks, the Clerk was, on motion, instructed to open and read all bids filed, whereupon the following bids were opened and read to the Board:

Gifford Trucks

2 2-ton trucks complete with cab, windshield and solid tires	@ 3,[illegible].00	$ 7,4[illegible].00
Less discount of $370.00 each		74[illegible].00
Total price F. O. B. Asheville, each	3,[illegible].00	[illegible],3[illegible].00

Delivery not given.

Packard Trucks

Packard truck equipped with cab, windshield and full set of tools

2 trucks delivered complete	7,[illegible].00
Less discount	2,07[illegible].00
Net price to City	4,9[illegible].00

Delivery in ten days to two weeks after receipt of order.

Kissel Trucks

2½ Ton Kissel Truck, known as "Freight[illegible]Model"Chassis complete including body 6[illegible]0 lbs.

List Price 2½ Ton Kissel f.o.b. Factory	3,[illegible]7.00
Less 5% for cash	14[illegible].75
	3,[illegible].25
Plus Freight	[illegible].00
Plus war tax	150.00
Net to City	[illegible].75
	2,9[illegible].50

No delivery given.

L. T. M[illegible]

Armleder Trucks

Armleder Truck chassis equipped with cab, windshield, solid tires front and back, f.o.b. Asheville, N.C.	each	3,[illegible].00	7,9[illegible].00
Less discount	"	9[illegible].00	1,18[illegible].00
Net price	"	3,3[illegible].00	6,714.00

Delivery: One truck immediately, second truck ten days if driven from factory, 15 days if shipped.

Nash Trucks

2 2-ton chassis with cab and windshield; solid tires — $4,924.22

Mark Dual Reduction
or
Worm Drive Trucks

2 Ton Dual Reduction Drive truck, complete with cab and windshield, f.o.b. Asheville — $4,152.06

2 Ton Chassis Worm Drive, f.o.b. Asheville — 3,688.56

Delivery not given.

G.M.C.Truck

2 Ton Worm Driven truck, price per truck as per specifications delivered — $3,436.80

Delivery not given.

Republic Trucks

2 Model 19-A, 3½ ton 148" wheel base Republic Trucks ea. $2,977.00 — $5,590.00
Add cab body and plate windshield — 110.00
$5,700.00

Less special minimal national buyer's discount of 10% — 570.00
$5,130.00

Add freight — 170.00 — 340.00
$5,407.00

Traffic Trucks

Traffic Chassis, solid tires delivered — $1,885.00
Add for body and cab — 200.00
$2,085.00

Traffic Chassis, Pneumatic Tires, delivered — $2,135.00
Add for body and cab — 200.00
$2,335.00

Immediate delivery, Terms ¼ cash, ¼ three months, ¼ six months, and ¼ nine months.

Huffman Motor Trucks

Huffman Motor Truck, Model C, capacity 5000 lbs., equipped with solid tires and canvas top, delivered, ea 2,100.00 — $4,200.00

Model B, Work Driven truck, ea 2,300.00 — 4,600.00

Immediate Delivery, 5% discount for cash.

Graham Bernstein Motor Trucks

Model 2C. 2 Ton, Price ea 3,450.00 — 6,900.00
Model 1½, 1½ Ton, price ea 2,775.00 — 5,550.00

Immediately delivery, Terms ¼ cash, ¼ three months, ¼ six months and ¼ nine months

White Truck

2 Ton White Chassis, equipped with Cab and windshield ea. 3,350.00 — 6,700.00

Add 3% for War Tax — 201.00
Net price f.o.b. Cleveland, O. ea 100.500 — 6,901.00

Delivery not given.

On motion, it was ordered that all bids be referred to the Clerk for tabulation, and turned over to the Commissioner of Public Works for recommendation.

This being the day according to the City's advertisement that bids were to be submitted for the construction of a fire station on Roberts Street, the Clerk was, on motion instruction to open and read all bids filed, whereupon the following bids were opened and read to the Board:

September 30th, 1921.

Hon. Mayor & City Commissioners.
Gentlemen:

I will superintend the construction of the new fire station on Bartlett Street, furnishing all necessary equipment, including trestles, staging and material of every kind necessary for scaffolding building for the sum of $1,000 One Thousand Dollars.

Yours very truly,

J.E.Heyner.

September 30th, 1921.

City Commissioners
Gentlemen:

We will furinsh all material and labor for the erection and completion of Fire Station #3 as per plans and specifications furnished for same by Mr.T. E. Davis, Architect, for the sum of Eleven Thousand Six Hundred ($11,600) Dollars.

Yours
W.V.Henry Co, by W. V. Henry.

September 30, 1921.

To the Mayor and Board City Commissioners,
City of Asheville, N. C.

Gentlemen:

For the City Fire Station #3 we propose to furnish all labor and material and build as per plans and specifications for sum of Thirteen Thousand Four Fifty-Seven ($13,457.75) and 75/100 dollars. This estimate included $100.00 for purchase of hardware and extra material and labor to build to street and lot grade, also includes bonds, Liability and Surety and Fire Insurance.

Extras. To provide hot water heating coil in the boiler and a hot water heater with pipe and fixtures, to furnish hot water to bath, basin and shower, also pressure regulator valve on main water line to street, add two electric lights and provide a pipe trench under floor for heating pipes will add to above bid sum of two hundred thirty-seven ($237.00) and no/cc dollars.

We are in position to execute this contract and start the work at once, hope to be favored with same.

Very respectfully,

J.W.Wrenn & Co., by J.W.Wrenn.

September 30, 1921

The Hon. City Commissioners,
Asheville, North Carolina.
Gentlemen;

We propose furnishing all material and labor to erect the new proposed fire station on Bartlett Street complete in accordance with plans and specifications as prepared by T.E.Davis, Architect, Asheville, N. C., including plumbing, Heating, Electric Wiring and painting all for the sum of ($12,175.00) Twelve Thousand One Hundred and Seventy Five Dollars,

Hoping to be favored with an acceptance of this contract, I am,

Yours truly,

Z.V.Creasman.

September 30, 1921.

To the Board of Commissioners
City of Asheville, N. C.
Gentlemen:

I propose to furnish all material and labor for the erection of the proposed Fire Station on Bartlett Street, according to the plans and specifications by T.E.Davis, Architect, for the sum of Fifteen Thousand Four Hundred ($15,400.00) Dollars.

This estimate includes some work on the plumbing and electric wiring which was not specified but was ordered included by Mr. Duckett.

Any rock which cannot be picked and shoveled would have to be paid for at a higher rate than I have figured for excavation.

Very truly Yours,

L.L.Merchant.

On motion, all bids were ordered taken under advisement

On the recommendation of the Commissioner of Public Works, the following street lights were, on motion, ordered installed:

1 Adams Street near Southside Avenue.
1 In front of #18 Vance Street.
1 At intersection of Hamilton & Chocataw.
1 In Grove Park just off of Edwin Place.
1 At intersection of Galax Ave. & Fairfax Steet.
1 Haywood Road in front of Balm Grove Church.

HOUSE ON LOT BARTLETT STREET

On motion, the Purchasing Agent was authorized and instructed to advertise for bids on the old house located on the City's lot on Bartlett Street on which it is proposed to erect the new fire station.

On motion, the Purchasing Agent was authorized and instructed to advertise for bids for the construction of the Hornby Heights Sewer.

A petition, signed by property owners, requesting the installation of a sewer on said street from a point on Waynesville Avenue near Tremont Street to the intersection of Deaver Street with Howard Street, was presented and, on motion, referred to the City Engineer for an estimate of the cost of the sewer line requested.

September 28th., 1921.

To Honorable Mayor and Commissioners
of the City of Asheville, N. C.

Gentlemen:

We the undersigned property owners on Deaver Street, West Asheville, respectfully petition your honorable body to put in a sewer line on Deaver Street from a point on Waynesville Avenue near Tremont Street to the intersection of Deaver Street with Howard Street.

Property Owner	Front Feet.
Tina M. Sorey	
Mrs. [illegible] E. Logan	
J.C. Peigler	
E.G. Weaver	
H.M. Corn	70 feet.
[illegible] F. Buckner	

A petition requesting the pave of Short Starnes Avenue between Cherry Street and Starnes Avenue was presented and, on motion, ordered filed.

One H.J. Tems having filed bond, Doctor's Certificate, Court Record, and Recommendation as provided under the ordinance regulating public service chauffeurs in the City of Asheville, and all papers being approved, it was ordered, on motion, that his application for a Chauffeur License be approved and that he be grated the license requested.

Weekly reports from the Public Health Nursing Association, Street Cleaning Dept., Incinerator Dept, Laboratory Dept., Inspection Dept, Health Dept, Street Dept., and Water Department, were read to the Board and, on motion, ordered filed.

On motion, the following building permits were granted:

Keith Corporation	7-Rooms and garage	#7 Rosewood	Estimated Cost	$5,00
Jno Renfro	4-room Bungalow	Murdock Ave	" "	4,00
Waddell	Alterations	Haywood & College Sts	" "	3,00
Mrs Thomson	Underpinning house	1[illegible] Annandale Ave	" "	.15
Albert Kirstein	Garage & Stable	20[illegible] Westwood Place	" "	.15
J.A. Penland	Addition to porch	[illegible]0 Flint Street	" "	.15
Mrs. Daisy Mitchell	Cow shed & Chicken House	#35 Galax Avenue	" "	.2

On motion adjourned

Secretary-Treasurer.

Asheville, N. C., Saturday, October 1, 1921.
[illegible] A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding, the minutes of the previous meeting read and approved.

Attorney Whitson, representing the Interurban Water Co, appeared before the Board and asked for a refund on the amount charged against his company for water used during September. Attorney Whitson explained that due to a leak in the pipe line, the bill against this company run up to $[illegible] above the average for September.

This matter [illegible], taken under advisement.

On the recommendation of Commissioner of Public Safety and Architect [illegible] Davis, it was ordered on motion, that the contract for the new Fire Station be awarded The W. V. Henry Co. at his bid of $[illegible],[illegible]00.00, this being the best and lowest bid submitted; this company, The W. V. Henry Co., was authorized to start the work on the building immediately on signing the contract and filing the bond as prescribed by law.

A committee composed of Messrs. H. D. Carter, A. E. Brown, Dr. Brookshire and others, appeared before the Board and requested that some immediate action be taken toward grading the grounds of the West Asheville School, explaining that the patrons of that school wished to celebrate Arbor day by planting trees and shrubery on the grounds, and that this could not be done until the grounds were graded. The Board was assured that if the City would do the grading that the citizens of West Asheville would do the rest.

This matter was referred to the City Engineer, with instructions to make the necessary survey and determine just exactly what is necessary.

This being the day according to the City's advertisement, the bids were to be submitted for the construction of a water line in Arbovale Park, the clerk was instructed to open and read all bids filed, whereupon the following bids were opened and read:

S. M. Stevens--for contracting the water line and furnishing the necessary fittings and hydrants according to specifications of the City Engineer	$[illegible],[illegible]40.30
Kelly & Wilson--for furnishing and installing the water line together with fittings and hydrants as specified by the City Engineer.	[illegible],[illegible]

It appearing to the Board that the bid of Kelly & Wilson in the amount of $[illegible],[illegible] was the lowest and best bid submitted, it was ordered on motion, that the work be awarded to the [illegible] with the understanding that the entire cost of this work is to be borne by Col. J. [illegible] Pitner, the City to reimburse him for same at some future date.

Reports from the Building Inspector, Electrical Inspector, Chief of Fire Department and Aston Park Playground were read to the Board and on motion, ordered filed.

On motion, the following building permits were granted:

W. W. Reister	Store building	French Brd. & Bartlett Sts.	estimated	[illegible],[illegible]00
Mrs. Mary Bradford	[illegible]-rm Addition	[illegible] Hiawassee St.	"	[illegible]0.00
L. C. Bell	4-rm Bungalow	Fayetteville St.	"	[illegible]

On motion, adjourned.

Secretary-Treasurer.

October 3, 1921- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

This being the day according to the City's advertisement that bids were to be submitted on the two houses located on the City's lot on Bartlett Street and no bids being received, the Purchasing Agent was, on motion, authorized and instructed to offer these houses at private sale reporting any propositions received by him to the Board.

On motion, one [illegible] Stone, an invalid, was granted free license to operate a dray in the City.

In connection with the recent application of the Asheville Power & Light Company for permission to lay gas mains in certain streets, the Corporation Counsel reported that if permission is granted with the understanding and agreement on the part of the Asheville Power & Light Company that it will restore such streets and sidewalks as may be disturbed in as good condition and in such condition as may be required by the City that the interests of the City will be amply and adequately protected.

A resolution permitting this concern to lay mains requested provided that said concern will restore such streets and sidewalks as may be disturbed, guarantee same for a period of two years, and indemnify, defend and save harmless the City from any damage suits arising by reason of any negligence on the part of such concern, its servants, agents or employees, was presented to the Board, and on motion, duly seconded, unanimously adopted.

(Corporation Counsel's Report)

October 1, 1921.

To the Honorable Mayor Commissioner and Board of Commissioners,
City of Asheville,
North Carolina.

Gentlemen:

In reply to your recent request for legal opinion and advice with reference to the application of the Asheville Power & Light Company for permit to construct certain gas mains in the streets of the City of Asheville, I have to advise that I am of the opinion that if the Board of Commissioners grant a permit to said Company to make the improvements on their gas mains, as outlined in their request for the permit, conditions upon the following terms:

"This permit is granted with the understanding and agreement on the part of the Asheville Power & Light Company that it will restore such streets and sidewalks as may be disturbed by the laying of said gas pipes and fixtures in good condition and in such condition as may be required by the City of Asheville, and will maintain the same in good condition for a period of two years from this date without expense to the City".

That a permit issued in the form above set forth will be ample and adequate protection for the City, provided the Asheville Power & Light Company accepts the permit and binds itself to the terms and conditions therein set forth.

Very respectfully,

Geo Pennell

GP:S

Corporation. Counsel.

RESOLUTION PERMITTING THE ASHEVILLE POWER & LIGHT COMPANY TO LAY GAS MAINS ON CERTAIN STREET OF THE CITY OF ASHEVILLE.

WHEREAS, the Asheville Power & Light Company holding a franchise to furnish Heating and Illiminating gas to the citizens, residents and inhabitants of the City of Asheville, applied to the Board of Commissioners for a permit to lay gas mains on certain streets of the City hereinafter mentioned, which request for permit was filed with the Board on the day of September, 1921; and

WHEREAS, the Board of Commissioners are desirous of granting said permit to the Asheville Power & Light Company:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Asheville, that the Asheville Power & Light Company are hereby authorized and permitted to lay gas mains on the streets hereinafter mentioned streets in said City:

"From the present 12" gas main in Patton Avenue, it crosses Patton Ave into Government Street and runs along Government Street near the north curb, to Haywood Street, and crosses Haywood Street to a point a few feet west of the east curb; thence along Haywood Street a few feet west of the east curb to Flint Street; thence along and under the east walk of Flint Street to the southern walk on Magnolia Avenue; thence along southern walk of Magnolia Avenue to the Western walk of Broadway; thence along said walk to a point opposite the south walk of Chestnut Street; thence crossing Broadway it runs under the south walk on Chestnut St. to Merrimon Ave., and in Chestnut St. a little north of the south curb from Merrimon Ave. to Charlotte St; thence along Charlotte St. under the west walk to the Edwin Place; thence along Edwin Place in the grass plot near the south-western curb to Evelyn Place, thence along the southern walk of Evelyn Place to the western walk of Murdock Ave., thence along the western walk of Murdock Ave., to near the South line of Coleman Ave., thence along and near the South line of Coleman Ave. to Merrimon Ave. Also a main in Merrimon Ave., from Chestnut St. to Hillside St., laid under the brick pavement near the east curb. Also a main on Henrietta St. under the west walk from Anandale to Spears Ave. Also a main under the west walk of Church St. from First St. to the south walk of Aston Lane; and along south walk of Aston Lane to Revenscroft Rd. Also a main on W. Chestnut under sough sidewalk from Flint St. to Montford Ave."

PROVIDED, HOWEVER, that this permit is granted with the understanding and agreement on the part of the Asheville Power & Light Company that it will restore such streets and sidewalks as may be disturbed by the laying of said gas pipes and fixtures, in good condition, and in such condition as may be required by the City of Asheville through its City Engineer and Commissioner of Public Works, and the said Asheville Power & Light Company will maintain the same in good condition for a period of two years from this date without expense to the City of Asheville.

PROVIDED, FURTHER, that the said Asheville Power & Light Company will indemnify, defend and save harmless the City of Asheville from any damage suits arising by reason of any negligence on the part of said Company, its servants, agents or employees, in the construction and laying of the gas mains aforementioned.

PROVIDED, FURTHER, that the Asheville Power & Light Company upon beginning work under the terms of this permit, will accept the terms hereof and bind itself to the conditions set forth herein.

I move the adoption of the foregoing resolution, this the 1st day of October, 1921

R. J. Sherrill

Commissioner of Public Works.

Approved as to form:

Geo Pennell.

Corporation Counsel.

On motion, the following building permits were granted:

Z. T. Ledbetter	Shoe Shop & Stand	Haywood Rd & Buffalo St	Estimated cost	$ 300.00
G. W. Haynes	Repairs	10 Magnolia Street	" "	100.00
Z. T. Ledbetter	Stable	Buffalo Street	" "	700.00

On motion, adjourned.

Secretary-Treasurer.

[illegible], October 4, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner R. [illegible] Sherrill absent on official business. The minutes of the previous meeting were read and approved.

[illegible]

Mr. Chester Brown of the Cherro-Cola Bottling Company appeared before the Board and asked for a refund of the excess water rent paid by that concern during the months of June, [illegible], August and September, explaining that due to a leak, which they [illegible] in finding about the middle of September, their water bills for June, [illegible] August [illegible] the bills for the same months last year about $195.93.

[illegible] was taken under advisement.

[illegible]

[illegible] of Mr. L. [illegible] Frady in the amount of $75.00 for the two buildings located on the City's lot on Bartlett Street, being the best and highest bid submitted, the Purchasing Agent was, on motion, authorized and instructed to award the buildings to Mr. Frady.

[illegible]

The Asheville Power & Light Company through its Vice-President and General Manager H. W. Plummer accepting the conditions expressed in the resolution of the Board of Commissioners adopted on October 3rd, it was ordered, on motion, that it be permitted to proceed with the work.

(Copy of Acceptance)

To the Mayor and Commissioners
of the City of Asheville,
Asheville, N. C.

The Asheville Power & Light Company hereby accepts the permit to lay [illegible] on certain streets of the City of Asheville, as set out in the Resolution passed by your Honorable Body, dated the first day of October, 1921

This the 4th day of October, 1921.

ASHEVILLE POWER & LIGHT COMPANY

By H. W. Plummer

Vice-President & General Manager.

Approved

Geo Pennell

Corporation Counsel.

[illegible]

A report showing the cash collected by the Department of Public Safety during the month of September was presented to the Board and, on motion, ordered filed.

Miss E. C. Allen	3- 6 room Houses	Brick Street	Estimated cost	$ 1500 each total	4500
J. L. Page	4 room House	Second Ave & State Street	"	"	2000
G. W. [illegible]	Hoover House	44 Phillip St	"	"	200
Mr. Conley	Stable	Short Bailey	"	"	15
Frank Weaver	Cow Stall	25 Roberts St.	"	"	15

On motion, adjourned.

Secretary-Treasurer.

Wednesday, October 5, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

[illegible]

The request of the Blessie Arnold that water be furnished her house 241 Beaumont Street now occupied by [illegible] Carrie Boyd, was, on motion, taken under advisement.

[illegible]

A resolution determining the type of buildings to be constructed from the proceeds of the $550,000 School Bonds was presented to the Board and, on motion of Mayor Gallatin Roberts duly seconded, was unanimously adopted.

A RESOLUTION DETERMINING THE TYPE OF
THE BUILDINGS TO BE CONSTRUCTED FROM
THE PROCEEDS OF THE $550,000 SCHOOL BONDS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That all the school buildings and additions to school buildings to be acquired from the proceeds of the $550,000 School Bonds authorized by ordinance passed January 29, 1921, and by vote of the people April 5, 1921, shall be constructed of what is described in the Municipal Finance Act of 1919, Section 2942 Consolidated Statutes, as "non-fireproof construction", that is, "the outer walls of all such buildings and additions shall be constructed of brick, stone, iron or other hard incombustible materials".

BE IT FURTHER RESOLVED that the probable period of usefulness of said improvement is thirty years from January 29, 1922, said date being a date one year after the passage of said ordinance, and that said period will expire January 29, 1952.

I move the adoption of the foregoing resolution, this the 5th day of October, 1921

GALLATIN ROBERTS

Commissioner.

Approved as to form:

GEO PENNELL

Corporation Counsel.

[illegible]

On motion, the following building permits were granted:

Jess Brook	6 room House	Sand Hill Road	Estimated cost		$ 5,[illegible]
Stella Scruggs	1 room & porch	44 Virginia Ave.	"	"	2[illegible]
Noah Murrough	Garage	14 Phillip St.	"	"	575.00
Clara M. Quave	Sleeping Porch	30 Fulton St.	"	"	300.00
R. L. Cook	Garage	42 Cutherland Ave.	"	"	75.00
A. E. Brown & G.D. Carter	Post Office	Haywood Rd & Richmond Ave		"	1,[illegible]

On motion, adjourned.

Secretary-Treasurer.

Thursday, October 6, 1921.--11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

Attorney Ward, representing the wholesale dealers of the city, appeared before the Board and asked that the ordinance passed by the Board on July 12, 1921 providing for a special tax on wholesale dealers in food products be rescinded, explaining that in the opinion of the clients this ordinance in its present form was not enforcable and worked a hardship on them.

Both the Mayor and Commissioner Fitzpatrick expressed themselves as being of the opinion that it was almost impossible to enforce the present ordinance, and on motion duly seconded and unanimously adopted, an ordinance rescinding an ordinance adopted by the Board of Commissioners on July 12th, providing for a special tax on wholesale produce dealers was passed on its first reading.

Mr. A. [illegible], who owns the Battle Lodge on Beaumont Mountain, appeared before the Board [illegible] whether or not if Mr. Henry would advance the money to make certain needed repairs to the road leading to Battle Lodge, the City would do the work with the understanding that Mr. Henry is to be repaid at some future date.

This matter, on motion, referred to the Commissioner of Public Works.

The request of one Jim Burton for refund of a special tax paid by him to conduct a lunch and soft drink stand and sell ice cream at 88 Eagle Street, was, on motion, taken under advisement.

The request of one [illegible] Arn[illegible] that water be furnished her house 240 Beaumont Street, now occupied by Carrie Boyd, was, on motion, referred to the City Engineer with request that he report on whose property the water meter is now located.

Attorney W. P. Brown, representing a Mrs. DeBois, appeared before the Board and complained that the Principal of the High School was prohibiting the children of that school from trading with his client. Attorney Brown charged that Principal Hutchins had suspended a boy for ten days because he went off of the school grounds to get his lunch when it was absolutely impossible for him to secure same at the school.

This matter, on motion, taken under advisement.

The request of Mrs. Geo. Sherrill for a light on Flint Street was, on motion, referred to the Commissioner of Public Works.

On motion, it was ordered that one J. G. Greenwood be refunded $3.00 on the installation of the wiring in the Cold Storage Plant on Avery Street.

This action taken in view of the fact that through error this amount was charged and collected from Mrs. Greenwood twice.

The request of the Secretary-Treasurer of the Good Roads Association that certain repairs [illegible] Smith's Bridge and Bingham School was, on motion referred to the Commissioner of Public Works.

September 16, 1921.

To the Honorable Mayor and Commissioners of the
City of Asheville,
N. C.

Gentlemen:

At a meeting of the directors of the Good Roads Association held on Wednesday last I was instructed to call your attention to the condition of the road leading from the western end of Smith's Bridge to Bingham School, and to urge upon you the necessity of making the necessary repairs thereto.

This matter has also been called to the attention of the County Commissioners, and it is hoped that some steps can be taken at an early date to make the much needed repairs on this road.

Very truly yours,

J:W

B. M. Jones
Sec-Treas. Good Roads Assn.

File No. 12
Letters Com.

A communication from the Secretary-Treasurer of the Good Roads Association calling attention to the violation on the part of the owners and drivers of automobiles of the law prescribing proper head lights on the front of automobiles was presented to the Board and, on motion, referred to the Commissioner of Public Safety.

September 16, 1921

To the Honorable Mayor and Commissioners of the
City of Asheville,
N. C.

Gentlemen:

At a meeting of the directors of the Good Roads Association held on Wednesday evening I was instructed to call your attention to the violation on the part of owners and drivers of automobiles, of the law prescribing proper headlights on the front of automobiles. It was stated that the State law required that the rays from the front lights should strike the ground at a distance of not more than 18 feet from the front of the car.

I was also instructed to call your attention to the matter of automobiles being parked on the streets at night without the rear lights burning. It was pointed out that when cars are left in this condition it might be the cause of a very serious accidnet; and I was instructed to request that proper steps be taken by you to remedy conditions in regard to both matter referred to above.

Very truly yours,

B. M. Jones

Sec-Treas. Good Roads Assn.

J:W

On motion, it was ordered that the assessment against the property of F. M. Stevens on account of the paving of Southside Avenue be exempted in the amount of $271.[illegible]

This action taken in view of the fact that all other property owners on that street have been allowed the same exemption.

On motion, the following building permits were granted:

A. Blomberg	Sign	Southside Avenue	Estimated cost	$	[illegible]
B. Hunter	Recover house	300 Southside Avenue	"	"	[illegible]
Mrs. M. A. Miller	Repairs	42 Starnes Avenue	"	"	[illegible]
E. F. Green	5 room Dwelling	John Street	"	"	2,[illegible]
W. L. Teasley	5 room Bungalow	North Ann Street	"	"	2,[illegible]

On motion, adjourned.

[illegible]
Secretary-Treasurer.

Thursday, October 6, 1921-- 4 o'clock, P. M.

The Board of Commissioners met in accordance with the City's advertisement for the purpose of opening and canvassing bids submitted for the $80[illegible].500 City of Asheville Bonds. Present and participating in said meeting the Honorable Gallatin Roberts, Mayor-Commissioner of Public Accounts and Finances and R. L. Fitzpatrick, Commissioner of Public Safety; R. J. Sherrill, Commissioner of Public Works absent on official business.

On motion, the Clerk was instructed to open and read to the Board all bids submitted, whereupon the following bids were opened and canvassed:

C. N. Malone & Co. For all bonds or none	$ 797.901
Kauffmann, Smith, Everett & Co.-- Mortgage Trust Company For $550,000 School Bonds	551,877
Richards, Parish & Lamson -- Fifty Third National Bank For all bonds or none	807.313

x Weil, Roth & Company
Per [illegible]. A. Webb, Agent

For all bonds or none	$80[illegible].500

R. [illegible]. Grant & Co.

For $[illegible],000 School Bonds	552,590
For 4[illegible],[illegible] Sewer Bonds	40,152
For 90,000 Street Bonds	90,342
For [illegible],[illegible] Refunding Bonds	39,650
For 62,000 Funding Bonds	62,295
For [illegible],[illegible] Water Bonds	25,095
Total bid for all bonds or none	[illegible]10,124

American Trust Company,
Charlotte,

For all bonds or none	812,715.55

x This bid subject to the City paying a commission of 2¼% on the par value of said bonds for the expense incident to finding a purchaser, selling and delivering the bonds.

On motion duly seconded and unanimously adopted all bids were taken under advisement until a special meeting of the Board of Commissioners called for 5 o'clock, P. M., October 6, 1921.

On motion adjourned.

F. L. Conder
Secretary-Treasurer.

Thursday, October 6, - 5 o'clock, P. M.

The Board of Commissioners met according to adjournment for the purpose of awarding the $[illegible],[illegible] City of Asheville Bonds. Present and participating in said meeting the Honorable Gallatin Roberts, Mayor-Commissioner of Public Accounts and Finances and R. L. Fitzpatrick, Commissioner of Public Safety; R. J. Sherrill Commissioner of Public Works absent on official business.

The Mayor announced that all bid submitted had been tabulated and thoroughly examined and that the bid of American Trust Company of Charlotte, North Carolina of $812,715.55 was the best and highest bid submitted. On motion duly seconded and unanimously adopted, it was ordered that the bonds be awarded to the American Trust Company of Charlotte, North Carolina on their bid of $812,715.55 and a copy of the bid was ordered embodied in the minutes of the proceedings of the Board.

PROPOSAL FOR BONDS

Oct. 6, 1921

Gallatin Roberts, Esq.,
Mayor-Commissioner of Public
Accounts and Finances,
Asheville, North Carolina.

Dear Sir:

For six per cent. bonds of the City of Asheville, described in the annexed advertisement, which is hereby made a part of this bid, we will pay:

For $[illegible] School Bonds, and

For $40,000 Sewer Bonds, and

For $9[illegible],000 Street Bonds, and

For $39,500 Refunding Bonds, and

For $62,000 Funding Bonds, and

For $25,000 Water Bonds Eight Hundred Twelve Thousand Seven Hundred Fifteen Dollars 55 cents.

The above bid is for all bonds bid for or none.
(Note: Bidders may draw a pen through last line above if desired; in which case the bid will be treated as separate for each issue)
In addition thereto we will pay accrued interest from date of bonds to date of delivery. Delivery will be accepted at the time and place stated in the annexed advertisement and the bonds will be paid for on delivery.

We enclose herewith $16,130.00 [illegible] (deposit [illegible], of the face amount of the bonds bid for) in money, or a duly certified check, payable to the order of the Mayor-Commissioner of Public Accounts and Finances or the City of Asheville for the same amount, [illegible] to be returned to the undersigned if this bid is not accepted; otherwise, to be deposited by the said Mayor-Commissioner of [illegible] the City, and when the bonds are delivered and paid for, under the terms of this bid, to be considered as an advance payment therefor, or to be retained as and for liquidated damages in case the undersigned fails to take up and pay for the bonds.

Bond Dept.
American Trust Co.
Charlotte, N. C.

By. Frank [illegible]. Green

On motion adjourned.

[illegible]
Secretary-Treasurer.

[illegible]iday, October 7, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved. Commissioner Sherrill absent on official business.

NORTH STREET -- [illegible]

The request for a street light to be located on North Street midway between Center Street and Broadway was, on motion, referred to the Commissioner of Public Works for investigation and report.

CRESCENT STREET
CARTER STREET } [illegible]

Petitions signed by property owners, having been filed requesting the paving of Crescent Street and Carter Street and said petitions having been investigated and found sufficient under the law both as to frontage and property owners, on motion duly seconded and unanimously adopted, it was ordered that these streets be paved and that the City Engineer prepare plans and specifications covering the paving of said streets both with concrete asphalt and sheet asphalt and that the City Purchasing Agent be and he is hereby authorized and instructed to advertise for bids for the paving of the above mentioned streets, based on the specifications prepared by the City Engineer.

ORDINANCE LEVYING SPECIAL [illegible]

An ordinance rescinding the ordinance providing for the levying of a special tax on wholesale produce dealers was presented to the Board and, on motion, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and was declared a law effective according to statute.

AN ORDINANCE RESCINDING AN ORDINANCE
PROVIDING FOR THE LEVYING OF A SPECIAL
TAX ON WHOLESALE DEALERS IN FOOD PRODUCTS

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the ordinance adopted by the said Board on July [illegible], [illegible] providing for the levying of a special tax on wholesale produce dealers be and the same is hereby rescinded.

Section 2. That the Mayor-Commissioner of Public Accounts and Finances be and he is hereby authorized and instructed to refund all special taxes collected under the provisions of the aforementioned ordinance.

I move the adoption of the foregoing ordinance, this the 6th day of October, 1921.

Gallatin Roberts

Commissioner of Public Accounts
and Finances.

Approved as to form:

Geo Pennell.
Corporation Counsel.

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, hereby certify that the foregoing is a true and correct copy of an ordinance passed on its third and final reading and adopted by the Board of Commissioners of said City at a regular meeting held in the City Hall in said City at the hour of 11 o'clock, A. M., October 7, 1921.

F. L. Conder

Secretary-Treasurer.

Reports from the Building Inspector, Electrical Inspector, Plumbing Inspector and the Fire Chief were read and, on motion, ordered filed.

On motion, the following building permits were granted:

R. F. Ingal	Repairs & Additions to House	Wells Ave.	Estimated cost	$ 400.00
A. W. Faulkner	Garage	Carter St.	" "	12,000.00
W. T. Trigiven	4 room Dwelling	32 Swannanoa A.	" "	1,200.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, Oct. 3, 1921.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

On motion, it was ordered that the action of the Board in granting Mr. A. W. Faulkner a permit to construct a garage on Carter Street be rescinded.

This action taken in view of the fact that property owners in that vicinity object that they were not given the opportunity to express their views in connection with the construction of the proposed building and asked that the matter be held open until they could be heard.

A request for a street light in front of 3 Cumberland Place was, on motion referred to the Commissioner of Public Works.

The request of one Robert P. Cannon that Hazzard Street be paved to the top of Beaties Hill was, on motion, taken under advisement. Cannon being requested to file a petition, properly signed, requesting the paving of said street.

The City Engineer's report showing his investigation of the request of one Arnold for water to be furnished his house 240 Beaumont Street was presented to the Board, and on motion, ordered filed. The Water Superintendent being ordered instructed to see that this house is furnished with a connection for city water.

Oct. 6th, 1921.

The Hon. Mayor & Commissioners.

Gentlemen: I have looked into the complaint of Arnold at #240 Beaumont St. that Monk who owns a lot just above their lot had discontinued her water at the metre in the street, and they are without water. The metre is in the street and eleven feet below Monk's corner and in front of the Arnold lot.

Very respectfully,
P. M. Lee, City Eng.

A petition requesting a sidewalk on Dundee Street, also a street light on this street was presented to the Board, and on motion, referred to the Commissioner of Public Works.

October 4th, 1921.

TO THE HONORABLE BOARD OF COMMISSIONER
OF THE CITY OF ASHEVILLE, N. C.

We, the undersigned residents, property owners and tax payers of the City of Asheville, do hereby respectfully petition you to inspect Dundee Street of our City and give us a sidewalk and light extending from Grail Street by the Church to the Holly Summey property on same street. The conditions are bad and we earnestly petition your earliest possible attention.

H. E. Jones
James Randolph
R. H. Bryant for St. Matthias Church
Julius Wright
Agnes Green
Mary J. Collington
J. K. Sommers

On motion, the following building permit was granted:

D. L. Roberts	Bradley Hill	4 room Dwelling	Estimated cost	$300.00

On motion, adjourned

Secretary-Treasurer

Monday, October 10, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding, Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

On motion, it was ordered that the 14th day of October, 1921 be designated as Clean Up Day for the improvement of Pack Square.

Messrs Jessup & Ward together with several property owners appeared before the Board and objected to the permit requested by Mr. A. W. Faulkner to erect a garage on Carter Street, stating that it was their understanding that Mr. Faulkner expected to put the front of this building as a stable for horses, which would not only detract from the value of property in that vicinity but would unquestionably in the course of time prove a nuisance.

Mr. Faulkner stated that, in his opinion, the [illegible] property would increase it; that he was willing to [illegible] of deteriorating [illegible] W. [illegible] property would increase it; that he was willing to [illegible] tion requesting that the strip of [illegible] was also willing to donate part of the lot for the widening of the street. He admitted that it was the intention to use the present [illegible] for a building for his horses, but stated that same would be kept in a strictly sanitary condition in every particular.

On motion, this matter was taken under advisement.

Mr. H. F. Claudius, agent for Mr. J. H. Morris, presented a petition to sell to the City certain property belonging to Mr. Morris on Chestnut Avenue to be used as a site for public schools.

This matter, on motion, referred to the joint board of Commissioners and Advisory Board.

On motion, Mr. W. C. Templeton, an old Confederate Veteran, was granted a special license gratis to conduct a Repair Shop at Preston Street.

On motion, adjourned

Secretary--Treasurer

Tuesday, October 11, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding, Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

One R. H. Lance appeared before the Board and asked permission to clean store windows in the congested district after 9 o'clock A. M. Mr. Lance stated that this morning Kress' and the Broadway Pharmacy were cleaning the windows in front of their stores at a few minutes before nine o'clock, A. M., while the Bon Marche on last Friday cleaned windows as late as four o'clock, P. M.

Mr. Lance was informed that the Board could not give him permit to violate the law however, his statement in connection with the Bon Marche, Kress and the Broadway Pharmacy was ordered referred to the Chief of Police to see that the law prohibiting cleaning of windows with the congested district was rigidly enforced.

On motion, it was ordered that the special license issued to J. S. Sumner to sell cigars, cigarettes and tobacco at 242 Patton Avenue be transferred to Mrs. L. H. Cole; Mrs. Cole having purchased the business.

On motion, it was ordered that a 100 C. P. Tungsten lamp be installed on Charles near Mr. Wayne Weaver's residence.

A request for a street light on French Broad Avenue between Patton Avenue and Phillips Street was, on motion, referred to the Commissioner of Public Works for investigation and report.

The City Engineer submitted an estimated showing estimated cost of paving Crescent Street and Carter Street, which was, on motion, ordered filed.

Oct. 8th, 1921

The Hon. Mayor & Commissioners,

Gentlemen: Below are my estimate of the cost of paving Carter and Crescent Sts.

Carter St.

Concrete paving 1813 Sqr yds	@ $2.43	$ 4406.30
Granite Curb 780 ft set	@ .52	405.60
Grading other than subgrade 160 yds	@ .50	80.00
Engineering & Inspection		100.00
Interest		149.80
Total		5141.70

Asphaltic Concrete 1813 yds	@ 2.68	$ 4858.84
4" Granite set 780 ft	@ .52	405.60
Grading other than subgrade 160 yds	@ .50	80.00
Engineering & Inspection		100.00
Interest		163.33
Total		5607.77

Crescent St.

Concrete Paving 1852 yds	@ 2.43	4500.36
4" Granite Curb set 1670 ft	@ .52	872.40
Grading other than subgrade 20 yds	@ .50	10.00
Engineering & Inspection		100.00
Interest		164.48
Total		5647.24

Asphaltic Concrete 1852 yds	@ 2.68	4963.36
4" Granite Curb set 1670 ft	@ .52	872.40
Grading other than subgrade 20 yds	@ .50	10.00
Engineering & Inspection		100.00
Interest		178.37
Total		6124.13

On motion, the following building permits were granted:

R. L. Sears	2- 4rm House	Street from Richland Ave.	Estimated	cost	$ 800.00
A. L. Wiley	Garage	23[illegible] Montford Avenue	"	"	100.00
Blue Ridge Hospital	Hospital	1[illegible] Clingman Avenue	"	"	7,000.00
J. F. Crow	Garage	56 Hiawassee Street	"	"	250.00
C. L. Baldwin	Garage	[illegible] Ann. Street	"	"	100.00
W. [illegible] McCrary	Garage	41 Westwood Place	"	"	40.00
Ideal Amisement Co	Marquette at Theatre	Biltmore Avenue	"	"	

On motion, adjourned.

F. H. Conder
Secretary-Treasurer.

Tuesday, October 12, 1921--[illegible] o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and accepted.

[illegible]

A resolution authorizing a public hearing upon the proposed budget for the fiscal year beginning September 1, 1921 and ending August 31, 1922 was presented to the Board, and on motion, adopted.

RESOLUTION AUTHORIZING PUBLIC HEARING UPON THE PROPOSED BUDGET FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 1921 AND ENDING AUGUST 31, 1922.

WHEREAS, it appearing to the Board of Commissioners of the City of Asheville from the report of City Auditor F. L. Conder that he has prepared the [illegible] budget for the ensuing fiscal year, [illegible] the total estimates of the needs of the various departments of said city, and has submitted herewith the itemized statement, as required by the Municipal Finance Act;

BE IT RESOLVED, by the Board of Commissioners of the City of Asheville, that a copy of said budget, together with the detailed itemized information thereto attached, be filed in the office of the City Auditor of the City of Asheville for public inspection.

BE IT FURTHER RESOLVED, that a public hearing be given upon the said proposed budget and that the 24th day of October, 1921, be and the same is hereby appointed for such public hearing and that notice thereof be published, as required by law; said notice to be in words and figures as follows:

"NOTICE OF FILING OF MUNICIPAL BUDGET AND PUBLIC HEARING UPON THE SAME.

Notice is hereby given to all persons, citizens and residents of the City of Asheville, that the Board of Commissioners of said city, have, in accordance with the Municipal Finance Act, prepared a plan for financing the municipality during the ensuing fiscal year in the form of a budget, together with detailed, itemized information, as required by law, all of which is on file in the office of the City Auditor of the City of Asheville, in the City Hall, and is open for public inspection.

You are hereby notified that a public hearing will be given by the Board of Commissioners of the City of Asheville, on the 24th day of October 1921, upon the question of the adoption of the said budget, when and where all persons, citizens and residents of the City of Asheville are invited to attend and file such exceptions or objections as they may be advised."

I move the adoption of the foregoing resolution, this the 12th day of October, 1921.

GALLATIN ROBERTS
Commissioner.

[illegible] STREET)
[illegible] STREET) [illegible]

A petition requesting the paving of Eagle and Hazard Streets was presented to the Board, and on motion referred to the City Engineer for investigation and report as to frontage and property owners represented thereon.

[illegible]

This being the day, according to the City's advertisement, [illegible] were to be submitted for the construction of the Horney Heights sewer; the Clerk was, on motion, instructed to open and read all bids filed, whereupon the following bid was opened and read to the Board:

Kelly & Wilson $3,320.

On motion, this matter was taken under advisement.

[illegible]

A committee composed of J. C. Martin, Frank Smith and Ruffner Campbell appeared before the Board and requested that the city tax on the Y. M. C. A. property located on Broadway and Woodfin Street for the year 1920 be exempted.

This matter, on motion, referred to the Corporation Counsel for investigation and legal advice.

Y. M. C. A. ATHLETIC GROUND.

This committee also requested aid from the City in the development of the athletic field on the Y. M. C. A. Ground, explaining that the ground was large enough for regulation baseball and football and the proposed developement would cost in the neighborhood of $10,000.

This matter, also on motion, taken under advisement, the Board agreeing to go over the ground in person and investigate conditions.

On motion, the following building permits were granted:

F. P. Ingle	1 Room & Repairs	Warren Avenue	Estimated cost	$	500.00
Jr. S. H. Davis	Chicken House	[illegible] Pine St.	"	"	40.00
C. W. Graham	[illegible] Chicken House	[illegible] Craven St.	"	"	35.00
D. V. Wilson	Repairs	[illegible] McDowell St.	"	"	100.00

On motion, approved.

Secretary-Treasurer.

Thursday, October 13, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

Mr. W. P. Croom, representing interested property owners on Electric St appeared before the Board and called attention to the fact that some time ago a petition had been presented asking that this street be graded and a sewer laid thereon. He stated that this street was in very bad condition, the building up very rapidly and the improvements requested were extremely necessary.

This matter, on motion, referred to the City Engineer.

On motion, the W. P. Pruitt, a man seventy-two years of age, was granted free license to peddle produce in the City.

A petition requesting that the drinking fountain at the Southern Railway Depot be moved back to where it was originally, before it was moved, was, on motion, referred to the Commissioner of Public Works for investigation and report.

A Request Of The Public

We The Undersign Do Hereby Request That The Drinking Fountain At the Southern Depot Be Moved Back To The Original Place Where It Was Before It Was Moved. We Also Request That One Automobile Be Moved From In Front Of Same; This Fountain Will Stand When Replaced, The Present Location Is Undesirable, And We Request The Fountain Moved Back At Once.

Yours Trust The Public

Names	Names	Name
W. L. Moffley	J. A. Bartlett	D. E. Morrslo..
J. A. White	R. E. Sigmon	J. G. Hyde
G. H. Lowe	J. W. Davis	D. E. Ward
W. P. Croom	J. H. McCoy	R. A. Spark
C. R. Nelson	W. G. Ford	J. P. Stanbury
H. F. Adams	W. C. Conner	W. W. Jamison
R. M. Roberts	J. W. Ward	J. M. McHarge
W. W. Morrison	D. F. Rice	W. C. Clapp
C. C. Riemer	J. D. Wade	C. A. Hawkins
O. E. Franklin	L. L. Pope	J. F. Garrett
M. Plemmons	R. S. Trout	J. E. Eller
T. A. Biddon	E. A. Bolisk	D. T. Mainey
H. H. Lail	M. Galloway	F. T. Hammett
F. M. Wilson	T. A. Lamb	W. A. Elfrid
G. E. Brookshire	Thad Sherlin	W. F. Yarborough
J. W. Banks	W. W. Hannah	C. L. Davidson
P. E. Smith	W. P. Hunter	W. L. Lutz
J. E. Born	C. S. McRee	C. D. Stowe
R. L. Sigmon	J. F. Caldwell	H. A. Steele
C. L. Harbin	J. R. Jones	Sam Barton
F. West	J. C. Bradley	M. P. Mulvaney
H. T. McCorrell	J. A. Woody	H. H. Sullivan
M. M. Neighbors	H. C. McCollister	

Attorney Burgin Pennell, representing interested property owners on and in the vacinity of Westwood Place , and Mr. J. F. Garrett, representing citizens and tax payers of the city in general, appeared before the Board and protested against the erection of a stockade or prison camp by the Asheville Construction Company on Westwood Place, and asked that the Board prohibit the use of said stockade or buildings for the purpose of housing

prisoners, contending that the same is detrimental to the health, comfort and convenience of the citizens residing in that neighborhood.

Attorney Pennell presented a petition signed by approximately one hundred citizens, property owners owning property in the vicinity of the proposed stockade, asking that the Board prohibit same.

Mr. J. F. Garrett presented a petition signed by approximately one hundred citizens asking that the Board prohibit the erection of a penitentiary within the corporate limits of the city. Housing prisoners from [illegible] was not necessary. Mr. Garrett stated that there was not at present any unemployment and stated that there was but of employment and stated that there was but [illegible] or private work and that if that they were to be employed [illegible] to do so, they would be required to pay the prisoners [illegible] worked longer hours and they worked [illegible] per hour.

Mr. Garrett also called attention to the fact that there was no sewer connection erected in a portion of Asheville, and that if prisoners were employed that same would be the attitude of the citizens in the vicinity. He also called attention to the fact that the proposed question was not one which would be the attitude of the citizens in one portion of the city, but any person or corporation attempt to establish or erect a prison or stockade for the purpose of housing convicts in that section of the city.

E. W. Pearson, [illegible] the colored citizens of West Asheville, also appeared before the Board and vigorously protested against the erection of the proposed stockade or prison camp.

On motion, it was agreed that the Board take a recess for the purpose of inspecting the stockade and in accordance with the information stating that this was the first time the matter had been brought to the attention of the City of Asheville.

Following the motion, as above stated, the Board recessed until the Commissioners could investigate the stockade or prison camp [illegible] by the Asheville Construction Company in the vicinity of Westwood Place.

(Copy of Petition)

Asheville, N. C., October 1, 1921

To the Honorable Mayor Commissioner and Board of Commissioners,
City of Asheville, North Carolina.

Gentlemen:

We, the undersigned citizens, residents, tax payers and property owners of the northern portion of Westwood Place and in the near vicinity of said Westwood Place, in the City of Asheville, hereby respectfully petition your Honorable Board that the stockade erected on said Westwood Place, for the purpose of housing state and county convicts, be ordered removed immediately, and that such ordinances, rules or regulations as necessary be immediately enacted and enforced prohibiting the use of said stockade or buildings for the purposes aforementioned, for that the same is detrimental to the peace, health, comfort and convenience of the citizens residing in the neighborhood aforementioned, in that it will be a sanitary nuisance and a general nuisance by reason of having convicts living adjacent to your petitioners, depreciating property value, endangering their lives by reason of the vicious character of persons so confined and the danger of their escape, and the noise and the noisome and disturbing doctors always surrouding a stockade for the confinement of convicts and criminals. Your petitioners feel that they are entitled to protection and the same rights as that accorded persons residing in other portions of the municipality; that the Board has on frequent occasions refused permits for the construction of buildings and the operation of certain businesses within the city because of their being noisome and objectionable to the residents in the adjacent neighborhood, and your petitioners in this case humbly pray that you exercise the authority granted in your charter and afford them the protection of the law which you have exercised on frequent occasions in behalf of residents of other portions of the city.

Respectfully submitted,

R. H. Zimmerman	J. O. Shook	Richard H. Kittler
Mrs. R. H. Zimmerman	Tom Pruitt	Mrs. L. F. Hahn
Garfield Hensley	C. B. Pruitt	J. T. Rogers
J. E. Henderson	A. Carn	J. A. Kuykendall
H. C. Arrowood	W. R. Morgan	S. P. Bryce
E. L. Kuykendall	Mrs. W. R. Morgan	C. T. Trantham
Dayt Jenkins	D. J. Plemmons	C. White
Clara Jackson	H. L. Plemmons	W. H. Wyatt
J. W. Jackson	Will Robinson	E. L. Nicholson
Wm. McAlister	W. H. Plemmons	S. P. Mears
R. L. Jenkins	A. E. Mitchell	Ellen Buckner
Ellen Frazier	A. J. Lineberry	Mrs. Josie Hart
G. W. Rice	W. C. Cole	W. T. Grant
F. B. Sherlin	W. E. Buckner	Julia Grant
Lydia Sherlin	J. M. Bishop	Mrs. W. A. Peterson
J. C. Watkins	John Lee	S. H. Jones
G. W. Carn	W. M. Meadows	Mrs. S. H. Jones
J. W. Whitaker	N. A. Anders	Harry Hart
Della Carson	Roy Meadows	G. W. Johnson
J. F. Laughter	Clarence Rice	Mrs. G. W. Johnson
C. E. Laughter	B. V. Alexander	J. O. Howard
Anna Carson	H. A. Anders	E. C. Holcombe
Kate Carn	Burgin Pennell	Mrs. E. C. Holcombe
J. M. Howard	James Brown	Mrs. P. W. Justice
W. M. Whiteside	Mrs. C. L. Kiser	J. A. Mack
W. C. Smith	L. D. Wooten	N. C. Carter
Ada Carter	Allie Coleman	J. L. Henderson

[illegible] Coleman	J. L. Henderson	J. M. Revis
[illegible] Morgan	W. A. Arrowood	Frank Shutz
[illegible] Henson	J. P. Green	Oscar Hensley
T. L. Lamb	Mrs. F. T. Zimmerman	F. W. Zimmerman
Mrs. [illegible] W. Miller	E. W. Miller	F. Zimmerman
[illegible] W. Zimmerman	Hal Haney	R. L. McKenzie
Mrs. Virgin[illegible] Cornell	Jack Westall	Fred L. Sale

Secretary-Treasurer.

Thursday, October 13, 1921-- 3:25 o'clock, P. M.

The Board of Commissioners re-convened after recess; Mayor Gallatin Roberts presiding, Commissioner Sherrill absent on official business.

On motion of Commissioner Fitzpatrick, duly seconded the following resolution was unanimously adopted:

WHEREAS, the Charter of the City of Asheville grants ample authority and power to the Board of Commissioners to compel the abatement of all nuisances within the corporate limits of said City; and

WHEREAS, the Asheville Construction Company, operated and controlled by Clyde Reed, has constructed within the corporate limits of said City on Westwood Place a camp and stockade for the confinement of state prisoners under contract to said Company; and

WHEREAS, representatives of at least ten-thousand of the voters, tax payers and citizens of said City have vigorously protested to this Board against the continuous operation of said stockade and the confinement therein of prisoners, and upon representations of the protesting citizens the Board of Commissioners personally visited the aforesaid stockade and camp and found the same constantly occupied almost solely for residential purposes, finding the stockade constructed of flimsy and inflammable material, surrounded by a high wire fence, which is later to be charged with electricity, with no provisions for the furnishing of city water to said camp and absolutely no sewer connections whatsoever, making no provision for the disposal of sewerage and at the time of the aforesaid visit of the Board of Commissioners to said camp, the sanitary conditions were found to be in an unhealthful and objexious condition, and that said camp will always be a sanitary nuisance by reason of its location; and

WHEREAS, it appears to said Board that the confinement of prisoners within the corporate limits of said City is not conducive to the preservation and promotion of the comfort, convenience, good order, better government, general welfare, peace and safety of the residents and inhabitants thereof, in that the same will result in a condition which will continuously menace the safety of the inhabitants of said City, especially the women and children thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the prison camp and stockade now located on Westwood Place in the City of Asheville in close proximity to the rock quarry now operated by the Asheville Construction Company, and on what has been known in and a nuisance other than a sanitary nuisance, and is detrimental to the preservation and promotion of the health, comfort, convenience, good order, better government and general welfare of the inhabitants of the City of Asheville.

Section 2. That the owner, agent, tenant, or person in charge of the aforementioned prison camp or stockade, be and is hereby required to remove or discontinue the same within six days from the passage of this resolution.

I move the adoption of the foregoing resolution, this the 13th day of October, 1921

R. L. Fitzpatrick
Commissioner.

Approved as to form:
Geo P Pritchi
Corporation Counsel.

An ordinance prohibiting the keeping, running, operation or maintenance of any house, barracks, stockade, prison or other place, within the corporate limits of the City of Asheville, where convicts or persons convicted of crime and sentenced by the Courts to a period of confinement are kept, housed, lodged or confined by the Board of County Commissioners of the County of Buncombe, except the jail operated and maintained by the Board, and on motion, passed on its first reading.

E. W. Pearson, representing the colored citizens of the City, extended an invitation to the Board of Commissioners to visit the Colored Community Fair at Aston Park tomorrow afternoon at 3 o'clock.

On motion, said invitation was accepted with pleasure.

On motion, the following building permits were granted:

P. G. Leiper	Garage	83 Cumberland Ave.	Building permit	$ 50.00
A. C. McKee	1 Room	56 Circle Street	" "	25.00
R. F. Horsburgh	Garage	Virginia Avenue	" "	15.00

On motion, said permits were granted.

Secretary-Treasurer.

Friday, October 14, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meetings were read and approved.

An ordinance prohibiting the keeping, housing, loaning or harboring of convicts in connection of crime and sentenced by the Courts, with the exception of the City and the County jails, within the City of Asheville, was presented to the Board, and on motion, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and being for the immediate preservation of the public peace and safety of the citizens of said City, was declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said City.

AN ORDINANCE PROHIBITING THE HOUSING OR KEEPING OF CONVICTS WITHIN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE.

WHEREAS, the representatives of at least 10,000 qualified voters, taxpayers and citizens of the City of Asheville, have vigorously protested to this Board against the operation or conduction or maintenance of any house, barracks, stockade or prison within the corporate limits of the said City where convicts are housed, loaned or kept; and

WHEREAS, after a full investigation of all of the facts connected with the petitions and protests of the voters aforesaid, and the operation and conduction of the stockades, prisons and houses as stated above, the Board of Commissioners deem it expedient and necessary for the preservation and promotion of the health, safety and general welfare of the inhabitants of the City of Asheville, that all houses, barracks, stockades or prisons where convicts are housed, roomed, loaned, fed or kept other than the City and County Jail be prohibited.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That no person, firm or corporation shall keep, run, operate or maintain any house, barracks, stockade, prison or other place, by whatsoever name called, within the corporate limits of the City of Asheville, where convicts or persons convicted of crime and sentenced by the Courts to a period of confinement are kept, housed, lodged or boarded.

PROVIDED, HOWEVER, that the provisions of this ordinance shall not apply to the Jails operated and maintained by the Board of County Commissioners of the County of Buncombe, or the Board of Commissioners of the City of Asheville.

Section 2. That any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction be subject to a penalty of Fifty ($50.00) Dollars for each and every such offense, and each day that any of the provisions of this ordinance are violated shall constitute a separate and distinct offense.

Section 3. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said City, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said city.

I move the adoption of the foregoing ordinance, this the 13th day of October, 1921.

Gallatin Roberts

Commissioner.

Approved as to form:

[illegible] Pennell

Corporation Counsel.

On motion, it was ordered that the contract for the construction of the horse [illegible] be awarded to Kelly & Wilson on their bid of $3,320; this [illegible] lowest bid submitted.

This award [illegible] with the understanding and agreement that the work is to be [illegible] for in full by Mr. J. F. Horney.

A committee, representing the Parent-Teachers Association of the Hill Street School, [illegible] Board and asked that at least six more class rooms be [illegible] the present building, calling attention to the fact that there are now 209 children in this school receiving part time instruction; that last year 75 children [illegible] in this school were transferred to the Livingston Street School in Victoria section; that by transferring these children back to Hill Street School, where [illegible] properly belong, the congestion at Livingston Street school would be relieved; that on account of lack of room it has been found necessary to move the domestic [illegible] work from the school building to the principal's home, which on account of the smallness of the room used, is very unsatisfactory; that on account of lack of room it has been found necessary to drop manual training work for the boys and sewing for the girls.

Attention was called to the fact that on account of the construction of the building the six additional class rooms needed can be constructed at very little cost.

The Mayor assured the committee that the Board was not unmindful of the needs of the school and would do everything within its power to relieve the conditions complained of.

The attention of the Board was called to the fact that three large trees located on the bank above Eagle Street, due to the crumbling of the earth were likely to give away at any time falling into the street, also that a fence protecting the road from the embankment on the opposite side of the street from these trees was in very [illegible] condition and should be repaired.

These matters, on motion, referred to the Commissioner of Public Safety.

In accordance with an agreement by and between Mrs. W. E. Logan and the old Board of West Asheville, it was ordered, on motion, that the property of Mrs. Logan on the south side of Haywood Street, being a portion of that property formerly known as the Old Beaver Tract, be charged only with one-third of the cost of the paving of this street instead of one-third of the cost of the total improvement.

It was also ordered, on motion, that Mrs. Logan be given credit for $65.00, as set out in said agreement

Oct. 13th, 1921

The Hon. Mayor & Commissioners:
Gentlemen:

On Oct. 1917, Mrs. W. E. Logan was charged as follows: on Lots #36 & #38 for Paving assessments

Lot #36	721 feet @ $2.243		1,617.20
Lot #38	543 " " "		1,217.93
			$ 2,835.15

This assessment was figured on the total cost of the improvement less the cost of curb.

By the enclosed contract and agreement it seems she was to be charged for the paving only against these lots.

On this basis the charge should be as follows:

Lot #36	721 feet front @ $1.69	1,218.49
Lot #38	543 " " "	917.61
		2,136.10
Less $65.00 according to agreement		[illegible]
		2,071.10

B. [illegible] Lee, City Eng.

The City Engineer's report showing that according to his investigation, the petition requesting the [illegible] of a portion of Eagle and Haywood Streets, [illegible] both as to frontage and property owners, was presented to the Board and on motion, ordered filed for future reference.

Reports from the Plumbing Inspector, Building Inspector, [illegible] Measures, City Plumber and Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

R. M. Miller	2- 4 room Houses	Wellington Ave.	Estimated cost	$ 4,[illegible]
J. G. Greenwood	Recover House	129 Third Ave.	" "	2[illegible]
W. A. Kilgo	Underfinding House	13[illegible] Hanover St.	" "	[illegible]

On motion, adjourned.

[illegible]
Secretary-Treasurer.

Saturday, October 15, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill assent on official business. The minutes of the previous meeting were read and approved.

Judge J. D. [illegible], representing interested citizens, appeared before the Board and presented a petition requesting the installation of an automatic road signal at the intersection of Patton Avenue and South Lexington Avenue.

This matter, on motion, taken under advisement.

PETITION

TO THE BOARD OF CITY COMMISSIONERS:

The undersigned hereby respectfully petition your Board that an Automatic Road Signal similar to the one now in use at the Northeast Corner of Pack Square be installed on South Lexington Street at the corner of Patton Avenue.

Hackney & [illegible] Co
Sawyer Motor Co., E. C. Sawyer
F. Smith
Barbee-Clark Cigar & Tob. Co.
Chambers & [illegible] Co.
T. J. Woodard by P. W. Alexander
Slayden, F[illegible] & Co
Samuel E. Glasser
Southern Enterprises . By C. R. Bamford
McGraw D. G. Co..

The application of Attorney Fred Sale that one Alex Pulos be granted permission to conduct a small penut wagon on the sidewalk at the intersection of Eagle Street and Biltmore Avenue, was also taken under advisement.

On motion, it was ordered that the Purchasing Agent be authorized and instructed to secure a proposition on trading in the police patrol and five passenger touring car now in use in the Police Department for a new five passenger touring car, and submit same to the Board at its regular meeting on Monday, October 17th.

The report of the City Engineer showing the present status of the proposed [illegible] of Electric Street and the construction of a sewer on said street was presented to the Board, and on motion, ordered filed.

Oct. 14th, 1921.

The Hon. Mayor & Commissioners

Gentlemen: On July 11th 1921 in carrying out the instructions of the Board of Commissioners; I surveyed Electric, now Hudson St. and made a profile of same, showing the proposed street grade, and sewer. I also [illegible] the cost of sewer as long as the property [illegible] built at that time. This they thought too high, so [illegible] for the work from Kelly & Wilson. They were unable to raise the necessary money for building the sewer, so it fell through.

Very respectfully,

B. M. Lee, City Eng.

On motion, adjourned.

[illegible] Gordon
Secretary-Treasurer.

Monday, October 17, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

A committee, representing the Rotary Club, Kiwanis Club, Civitan Club, Chamber of Commerce and the Good Roads Association, appeared before the Board and advised that at a meeting in Chattanooga some time ago in order to get the Dixie Highway enroute through Western North Carolina, South Carolina and a part of Georgia, Five Thousan Dollars had to be pledged for these three states. Commissioner [illegible] Johnston, representing Buncombe County and Commissioner J. G. [illegible], representing the City of Asheville, each pledged for the County and the City of Asheville $375.00; the County already agreeing to donate its portion.

On motion, it was ordered that the donation of $375.00 for the City of Asheville be allowed.

[illegible]

The claim of Mr. Gregg Chambers for damages on account of the City taking [illegible] on Genesee Street, was on motion, referred to the Commissioner of Public Works for investigation and report.

[illegible]

On motion, the Purchasing Agent was authorized and instructed to accept the proposition of the Sawyer Motor Company to take in the present police touring car [illegible] Police Patrol and furnish the city with a new touring car for the sum [illegible]

Oct. 15, 1921.

[illegible],
[illegible],
City of Asheville,
[illegible], N. C.

Dear Sir:

We beg to make you the following two propositions on a new Dodge Brothers touring car for the Police Department :- We will take in your old Police touring car and give you a new touring car for a difference of $700.00

Our second proposition is that we will take in your Police touring car and Police patrol and furnish you a new Dodge Brothers touring car for the sum of $300.00

We would be able to make delivery of this car on or before October 20th.

Trusting that you will see fit to favor us with your order for this new touring car, under one of the above propositions, we beg to remain.

Very truly yours,
SAWYER MOTOR COMPANY

Per R. Holmes Sawyer

RHS:FPG

[illegible]

On motion, the following building permits were granted:

J. T. Ingal	[illegible] House	[illegible]rren Ave.	Estimated cost	[illegible]
E. Wilder	Garage	107 Brevard Road	" "	[illegible]
J. A. Murray	[illegible] House	Coleman Avenue	" "	[illegible]

On motion, adjourned.

[illegible]
Secretary-Treasurer

Tuesday, October 18, 1921--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

A committee representing the East Biltmore Water Co. appeared before the Board and requested permission to increase the size of the main furnishing its consumers with water, from 2" to 4".

The attention of the gentlemen present was called by the Commissioner of Public Works to the fact that the citizens of Asheville residing in the southern portion of the City on elevated places were complaining of not receiving an adequate supply of water, therefore, he would not deem it wise to allow the main outside of the City to be increased until the City could re-inforce its water supply sufficiently to take care of the citizens and taxpayers residing in the elevated portions of the City.

[illegible]

On motion of the Commissioner of Public Works, the appointment of Mrs. C. P. Jenkins as nurse in charge of the inspection of restaurants, hotels and tubercular sanitariums was approved.

[illegible]

A resolution ordering the construction of a 8" sanitary sewer extending from Haywood Road about [illegible] ft. on Louisianna Ave. was presented to the Board and on motion adopted. The City Engineer being instructed to furnish an estimate of the cost of this proposed line together with specifications covering the work. The Purchasing Agent being authorized and instructed to advertise for bids for the construction of said sewer line, the work to be done in accordance with the plans and specifications furnished by the City Engineer.

WHEREAS in the opinion of the Board of Commissioners of the City of Asheville, it is necessary to construct a 8" sanitary sewer extending from Haywood Road about 600 ft. on Louisianna Ave. in order to accomodate houses on said street:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That said sewer line be constructed, the work to be done either by the City's forces or under contract, the cost of same to be pro-rated against the property benefited in accordance with the law in such cases made and provided.

I move the adoption of the foregoing resolution, this the 18th day of October, 1921

(Signed) R. J. Sherrill,

Commissioner.

[illegible]

The complaint of one J. P. Davis, that the City, in grading Hall St. had destroyed his driveway, was on motion referred to the Commissioner of Public Works for investigation and report.

[illegible]

Wednesday, October 19, having been set aside by the Board as Community Day for work on the Horney Heights Park, it was ordered on motion that the Board observe the day and take part in the work and that there be no meeting of the Board of Commissioners on October 19.

[illegible]

On motion, the Mayor was authorized and instructed to issue a voucher in favor of Mr. Ronald Greene for $500.00 for professional services rendered in connection with the drafting of the plans and specifications covering the Catholic Hill School.

[illegible]

On the recommendation of Commissioner of Public Works, it was [illegible] that a street light be installed on Chestnut St. in front [illegible].

On motion, the following building permits were granted:

[illegible]	Garage	102 Merrimon Ave.	Estimated cost	$1,100.00
[illegible]	5-Rm. House	West Asheville	" "	1,000.00
[illegible]	4-" "	" "	" "	2,200.00
[illegible]	Porch & Garage	" "	" "	250.00
[illegible]	5-Rm. House	Mr. Flint & West Chestnut	" "	4,000.00

On motion, adjourned.

[signature]
Secretary-Treasurer.

Thursday, October 20, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding; the minutes of the previous meeting read and approved.

An ordinance amending section 903 of Bourne's Asheville Code by striking out the figure 8 in line 6 thereof and inserting in lieu the figure 9 (This ordinance permitting the washing of windows until 9 o'clock A. M.) was presented to the Board and on motion passed on its first reading.

One Bayles Gasperson appeared before the Board and complained that the City had refused to allow him the privilege of installing a phone on the public dray lot but had allowed this privilege to one Curley Banks and others.

Gasperson was informed that the reason he was refused the privilege of installing a phone was on account of the draymen falling out among themselves, contending that this privilege would in a measure give him an unfair advantage, however, it was, on motion, ordered that he be granted the privilege of installing a phone near the same location as the phone installed by Curley Banks.

The request of one J. C. Peigler that a sanitary sewer line be installed on Beaver Street at an early date was, on motion, referred to the Commissioner of Public Works.

A request that the drinking fountain near the passenger depot be moved to its former position, was on motion, referred to the Commissioner of Public Works.

The request of one Dr. Chambers for refund of the amount paid by him for sewer connections on the sewer line installed by Mr. Rawls in Woolsey, for the reason that Mr. Rawls, when the line was installed through his (Dr. Chambers) property, agreed to allow him to attach to same free of charge, was on motion, referred to the Commissioner of Public Works.

The request of one F. P. Ingle for the installation of a water line in Circle Street near Herron Avenue was, on motion, referred to the Commissioner of Public Works.

In view of the fact that the specifications covering the paving of Crescent Street and Carter Street have not as yet been received from the printers, it was, on motion, ordered that the time for receiving bids for the paving of these two street be continued until Saturday, October 22nd.

On motion, the following building permits were granted:

Presbyterian Church	Church	Haywood Road	Estimated cost	$ 17,[illegible]
City of Asheville	Fire Station	Bartlett St.	" "	[illegible]
W. E. Dinterman	3 rm House	Morney Heights	" "	3[illegible]
Mrs C.B.Dusenberry	Recover House	64 Hill St.	" "	[illegible]
Mary Muncy	Porch	Brook Street	" "	[illegible]
J. R. Watts	Repairs	West Asheville	" "	[illegible]
Adelaide B.L.Claudius	Recover House	25 Bortch Avenue	" "	[illegible]

On motion, adjourned.

[signature]
Secretary-Treasurer

Friday, October 21, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

A request for repairs on Reed Street and Spears Avenue was, on motion referred to the Commissioner of Public Works.

A petition signed by property owners requesting the immediate paving of Clyde Street was, on motion, referred to the City Engineer for a report as to the property owners and front footage represented thereon.

In connection with this petition the Board was advised that all the property owners except three owning 150 feet, signed same and that the street was only about 4[illegible] feet long and 16 feet wide; there being absolutely no possibility of a sidewalk, therefore, unless the street was paved the residents thereon would have absolutely no protection from the mud this winter.

HONORABLE BOARD OF COMMISSIONERS,
FOR THE
CITY OF ASHEVILLE,
STATE OF NORTH CAROLINA.

We, the undersigned owners of property located on Clyde Street, City of Asheville, respectfully petition and request that Clyde Street be immediately paved.

NAME	ADDRESS
E. J. Stroud & Belle Burnett	1[illegible] Clyde St.
Mrs. Emma Hare	[illegible] Clyde St.
Mrs. Mary E. [illegible]	188 Charlotte St.
Carl Von Olsen	26 Clyde St.
Mrs. Philip Neale	40 Clyde St.
Mrs. J. [illegible]	46 Clyde St.
Mrs. Myrtle [illegible]	32 Clyde St.
Maude C. Reger	194 Charlotte St.
J. P. Reger	194 Charlotte St.
James E. Presley	43 Clyde
Mrs. J. L. Pressley	41 Clyde St.

FAIRFAX STREET
FAIRFIELD AVE

W. R. Messer, Special Agent for the City, reporting that he had been unable to reach an agreement with property owners in connection with the proposed extension of Fairfax Street and Fairfield Avenue; the Mayor was, on motion, authorized and instructed to issue his writ for a jury to condemn the land necessary for said proposed improvement.

October 21, 1921.

To the Hon. Mayor & Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

I beg to report that I have conferred with the interested property owners with reference to the proposed extension of Fairfax Street and Fairfield Avenue and have been unable to reach any agreement in regard to securing a right of way for said proposed improvement

Very respectfully,

W. R. Messer

SPECIAL AGENT.

An ordinance amending Pannell's Asheville Code of 1909 by striking out the figure 8 in line 6 thereof and inserting in lieu thereof the figure 9, was presented to the Board by ..., on motion, read in full and passed its ... reading.

On motion, the rule was suspended, this ordinance placed on its third and final reading, same was read in full and declared a law effective according to statute.

AN ORDINANCE AMENDING THE ORDINANCE
RELATIVE TO THE WASHING OF WINDOWS
IN THE CITY OF ASHEVILLE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That Section 193 of Pannell's Asheville Code of 1909 be amended by striking out the figure eight (8) in line six thereof and inserting in lieu thereof the figure nine (9).

Section 2. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Introduced by ... ordinance, this the 20th day of October, 1921.

R. L. Fitzpatrick
Commissioner.

Approved as to form:

Geo Pannell
Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE.

I, F. L. Conner, Secretary-Treasurer of the City of Asheville, hereby certify that the foregoing ordinance was passed on its third and final reading on the 21st day of October, 1921 and was first published on the ... day of October, 1921.

WITNESS my hand on the official seal of said City, this the ... day of October, 1921.

F. L. Conner
Secretary-Treasurer

Reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nurse, Ass't Sanitarian, Asst Incinerator, Sealer of Weights & Measures, Plumbing Inspector, and Dog Catcher were received, on motion, ordered filed.

On motion, the following building permits were granted:

J. [illegible] Clark	Gasoline Filling Station	94	Haywood Street	Estimated cost	$ 50.00
Mrs. F. Hamilton	Repairs	242	Ashland Ave.	"	.100.00
[illegible]	Repairs	53	Orange Street	"	.150.00
[illegible]	1 Room Addition	317	Cumberland Ave.	"	.500.00
[illegible]	1 Room	315	Cumberland Ave.	"	.125.00

On motion, adjourned.

F. L. Conner
Secretary-Treasurer.

The application of Mr. J. A. Homey to construct a sewer line from Station #27 on the lower ... sewer line established by the City Engineer, Asheville to Homing Creek, as per the survey and location as established by the City Engineer, make all necessary considerations of rights of way in his opinion provide the said sewer is to be assessed by the city to property benefited in accordance with the provisions of the existing law; Mr. Homey to be reimbursed as the assessments are paid in was, on motion, duly seconded, unanimously accepted, and it was so ordered.

Asheville, N. C., Friday, October 22, 1921-- 11 o' clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous ... were read and approved.

The complaint of Mrs. P. H. Thrash ... the water rent ... Meters owned by her ... Street was, on motion, ... to furnish the Board with a complete report relative to Mrs. Thrash's claim.

On the recommendation of the Commissioner of Public Works, it was ordered that the 100 C. P. Thomson ten inch ... be installed at the intersection of Beaucatcher Ave. and Hillcrest Street.

On motion, Mr. F. L. Conner was appointed in part of the ... in connection with the ... Secretary of Commissioners.

On motion, it was ordered that the Thermo Gold Paint Company be ... with for rent ... the months of May, June, July, August ... under bid.

Oct. 21, 1921

Honorable Board:

Thermo Gold Paint Co. ... for the five Summer ... and five Winter ... year.

May 1921	79.97
June "	164.42
July "	154.62
Aug "	78.72
Sept "	81.24
	$498.97

May 1920	79.42
June "	95.22
July "	133.02
Aug "	57.62
Sept "	32.55
	$397.83

The Excess for last year's Summer months is $101.15, one ... them half of that ... would be $50.57 ... to Mr. Brown.

Respectfully
WATER DEPARTMENT.

On motion the following water rent refunds were allowed:

Lon Bradley	100	Asheland Ave.	Excess	$5.93	Refund $2.96
H. Batterham	[illegible]	[illegible]	"	[illegible]	" 10.00
Will Bingo	[illegible]	[illegible]	"	[illegible]	" [illegible]
Rev. W. Selren	30	[illegible] Alley	"	6.13	" [illegible]
Kate Tomson	44	Patton Ave	"	13.[illegible]	" [illegible]
Joe Sherman	[illegible]	McDowell St	"	.20	" [illegible]
M. E. Parks	[illegible]	[illegible]le Ave.	"	2.04	" [illegible]
Annie Lee King	[illegible]	[illegible] St.	"	2.04	" [illegible]
Carrie Carr Mitchell	[illegible]	[illegible] St.	"	3.48	" [illegible]
J. Batterham	[illegible]	[illegible] St.	"	1.67	" [illegible]
John Revis	263	Haywood Rd	"	1.93	" .92
J. F. Ford	69	Short Morrison	"	4.31	" [illegible]
D. B. Powell	46	Arlington St.	"	[illegible]	" [illegible]
M. R. Lyerly	64	Spruce St.	"	3.30	" 3.29
W. W. Redwood	8	Cherry St.	"	1.[illegible]	" [illegible]
J. S. Styles	52	Cumberland Circle	"	2.04	" [illegible]
W. S. Miller	[illegible]	Cumberland Ave.	"	4.[illegible]	" 1.02
Mr. Long	63	Cumberland Ave.	"	1.20	" 0.47
Bob Ray	19	Ocala St.	"	4.00	" .80
Mrs. W. C. Vaughan	8	North St.	"	.80	" .90
T. S. Rollins	23	Orange St.	"	3.00	" 1.50
T. C. Smith Jr.	[illegible]	Chestnut St.	"	4.69	" 2.34
A. C. Allison	156	Chestnut St.	"	5.97	" 2.98
J. E. Smathers	77	Pearl St.	"	1.25	" .62
	350	W. Haywood St.	"	1.74	" .87

Frame 1 ... Clyde Street

The [illegible] submitted a map showing the proposed location of the Denver Street Sewer. On motion, the map was adopted and the Purchasing Agent was instructed to advertise for bids for the construction of this sewer, returnable in four days.

The City Engineer's report showing that the petition requesting the paving of Clyde Street was sufficient both as to property owners and frontage was presented to the Board and, on motion, ordered filed.

Oct. 22, 1921

To F. L. Conder
Secretary-Treasurer
City of Asheville

Dear Sir:

Regarding the petition signed by property owners on Clyde St. requesting that said street be paved from Charlotte St to Hillside St. I find that the said petition is signed by a majority in number of the owners, who represent a majority of all the lineal feet of frontage of lots (owners of individual interests in one piece of property have been [illegible]) abutting upon the street or part of street proposed to be improved.

The following table shows the frontage of property on the street proposed to be improved, the number of peroperty owners and the total frontage with the frontage petitioned for:

Lot No	Property Owner	Frontage Feet and Inches	Petitioned Feet and Inches
29	Mrs. Mary E. Betts	150	150
30	E. J. Stroupe	50	50
31	Emma Hare	50	50
32	S. M. Stevens	50	
33	Mrs. C. Von Ohsen	50	50
35	S. H. Miller	29	
36	Mrs. Maria Goodlake	50	50
37	J. E. Presley	50	
38	Florence Neal	50	50
39	Margaret Ward Porcher	50	
40	J. P. Massey	54.5	54.5
41	Wm. P. Towe	50	
44	E. L. Bishop	104.5	
[illegible]	J. E. Presley	45	45
[illegible]	Mrs. J. L. Presley	45	45
[illegible]	Carl Von Ohsen	45	
[illegible]	W. H. Westall	112.5	
[illegible]	Mrs. Mary E. Betts	60	
[illegible]	Mrs. Mary E. Betts	50	
[illegible]	Maud C. Reger	39.4	39.4
[illegible]	Maud C. Reger	150.4	150.4

Total frontage	1335.3
Frontage petitioned for	734.3
Total Property Owners	18
Property Owners signing Petition	11

Signed B. M. Lee City Engineer.

This being the day according to the City's advertisement to receive bids for the paving of Carter Street and Crescent Street, the Clerk was, on motion, instructed to open [illegible] petition, whereon the following bids were opened and read:

Asheville Paving Company

Earth Excavation, per cubic yard	$ .50
Loose rock excavation, per cubic yard	.75
Solid rock excavation per cubic yard	2.50
For laying sheet asphalt 4" base, per square yard	2.94
For laying sheet asphalt 5# base, per square yard	3.29
For laying asphaltic concrete, Topeka specification 4" base	2.54
For laying asphaltic concrete, Topeka specification 5# base	2.89

R. C. Stevens

Earth excavation, per cubic yard	.50
Loose rock excavation, per cubic yard	.75
Solid rock excavation, per cubic yard	2.50
For laying 6" concrete, pavement including sub-grade, per square yard	2.46

E. T. Belote

Earth excavation per cubic yard	.40
Loose rock excavation, per cubic yard	.90
Solid rock excavation, per cubic yard	1.25
For laying concrete, per square yard	2.33

Southern Drey Co.

Earth excavation per cubic yard	.50
Loose rock excavation, per cubic yard	.50
Solid rock excavation, per cubic yard	2.00
For laying concrete, including sub grade per square yard	2.62

ELECTRICAL INSPECTOR'S REPORT

A report from the Electrical Inspector showing collections for the week ending October 20th, was read to the Board and, on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

E. L. Monteith	33 Central Ave.	Garage	Estimated cost	$ 100.00
Mrs. C. R. Schuessler	107 Merrimon Ave	Garage	" "	170.00

On motion, adjourned.

F. L. Conder
Secretary-Treasurer.

Monday, October 24, 1921-- 12 o'clock, M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on vacation. The minutes of the previous meeting were read and approved.

J. A. WOODCOCK--WHITE WAY HAYWOOD STREET

Mr. J. A. Woodcock appeared before the Board and requested permission to install a white way in front of the building being erected by him on Haywood Street, explaining that the property owners in front of whose buildings the lights would be erected, would pay for the installation and six months maintenance.

He also requested that the sidewalk curb be located permanently before this work is done in order that it will not be necessary to tear up the work when the street is widened.

On motion, Mr. Woodcock was granted permission to install the white way posts provided the cost of the installation is paid by the owners of the property in front of which the lights are installed, also that said property owners pay for the current for six months. The matter of locating the curb was, on motion, referred to the Commissioner of Public Works.

CARTER STREET
CRESCENT STREET } PAVING CONTRACT AWARDED TO E. T. BELOTE

The bid of Mr. E. T. Belote being the lowest and best bid received by the City it was ordered, on motion, that the contract for the paving of Carter Street and Crescent Street be awarded to him.

FRED SALE--PEANUT STAND BILTMORE AVENUE

The application of Attorney Fred Sale for permission for one of his clients to conduct a small peanut wagon in the street near the intersection of Biltmore Avenue and Eagle Street was, on motion, taken under advisement until the return of the Commissioner of Public Safety.

APPROPRIATION ORDINANCE PASSED ON ITS SECOND READING.

The appropriation ordinance for the fiscal year beginning September 1, 1921 and ending August 31, 1922, was presented to the Board and, on motion, passed on its second reading.

BROWNWOOD AVENUE [illegible]--LIENS TO TAX COLLECTOR

The City Engineer's report showing the total and pro rata cost to property owners on account of the construction of a 6" pipe sewer on Brownwood Avenue, having been advertised in accordance with the law, the liens were, on motion, declared complete

am. operative a' a list of same ... turned over to the Tax Collector for collection.

6" Pipe Sewer
... rownwood Avenue

Aug. 16, 1921

Labor		$48.50
150 ft 6" Pipe	@ .16½ ft	24.75
... 2 ...	@ .80	1.60
...	...	4.00
Manhole ... Covers		10.00
Advertising, etc		20.00
Engineering		12.35
		$123.20

Assessed Property Owners

Lot No	Name	Feet	Price	Amt
39	Mrs. W. B. Logan	70	.44	30.80
41	Roma F. Lindsey	70	"	30.80
6	Mrs. W. B. Logan	70	"	30.80
6	T. W. Owens	70	"	30.80
				123.20

On motion, the following ... permits were granted:

G. L. Fortune	4-room House	Circle Street	Estimated cost	$ 1,000.00
W. H. ...	4-room House	Haywood Road	" "	1,000.00
S. L. Logan	4-room ...	Haywood Road	" "	1,000.00
Orr Glenn	4-room House	10 Glenn Place	" "	1,500.00
Frank Weaver	Repairs Laundry	Lexington Ave.	" "	3,500.00
Jas. Ware	Repairs	47 Orange St.	" "	4,800.00
Cristos Nicolas	Repairs	13 Broadway	" "	500.00

On motion, ... approved.

... Conder
Secretary-Treasurer.

Wednesday, October 26, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on vacation. The minutes of the previous meeting were read and approved.

Attorney ... and Mr. J. T. Garrett appeared before the Board and counsel ... of the property on Westwood Place and asked that the Board enforce the ordinance ... at the two or three weeks ago, and require this blockade to be removed at once.

Mr. Garrett ... to call the Board's attention to the injustice of a private ... prisoners, housing them in a thickly settled locality ... work ... in connection with the free labor, especially at this time when work is exceedingly scarce.

... by the Mayor that Mr. Reed of the Asheville ... to get the prisoners out of the city and would move them at the earliest possible moment.

... received for the construction of a sanitary sewer on Louisiana Avenue, the Clerk was, on motion, instructed to open and read the bids submitted, whereupon the following bid was opened and read to the Board:

Kelly & Wilson $649.50

On motion, this bid was taken under advisement.

The Chief of the Fire Department and the Building Inspector recommended that the property owner or tenants occupying the New York Cafe be required to carry their flues or smoke stack high enough to take the smoke and sparks above the roof of the Palais Royal building, thereby eliminating a fire hazard existing at that point.

On motion, it was ordered that the recommendation submitted by these gentlemen be referred back to them with instructions that they see that the fire hazard existing be eliminated.

...tober ..., 1921

Mr. R. L. Fitzpatrick,
Commissioner ... Public Safety,
Asheville, N. C.

Dear Sir:

After investigating complaints made by Mr. Morris Myers of the Palais Royal Co., Biltmore Ave., with reference to fire ... hazard existing ... that the property owner or tenants occupying the New York Cafe be required to carry their flues or smoke stacks high enough to take the smoke and sparks above the roof of the Palais Royal building, ... the smoke ... roof of the Palais Royal building.

We ... been informed that on some occasions sparks have blown from ... of the Palais Royal building on the ... floor ... and ... the matter ... has not been ... immediately. Thank you for your information.

Respectfully submitted,

A. T. Barrett
Chief of Fire Department

... W. ...
City Building Inspector.

AHB/J

The application of the ... Advertising Company for permission to erect a billboard on College Street east of Oak Street was, on motion, referred to the Commissioner of Public Works for information and report.

On motion, the following building permits were granted:

Mrs. Anderson	Garage	Montford Park ...	Estimated cost	$ ...
Charlie Kennedy	Garage	12 Ralph Street	" "	...
Jennie S. Brown	5-room House	Hornby ...	" "	...

On motion, ... approved.

... Secretary-Treasurer.

...day, October 26, 1921-- 4:55 P. M.

The Board of Commissioners met at the call of the Mayor for the purpose of considering the bid on the Louisiana Avenue Sewer. Mayor Roberts presiding; present and participating in ... Commissioner of Public Works, R. J. Cherrill; Commissioner of Public Safety, R. L. Fitzpatrick absent on vacation.

The bid of Kelly & Wilson for $649.50 for the construction of a sanitary sewer on Louisiana Avenue ... in excess of the City Engineer's estimate ($471.99) for the cost of this work, it was ordered, on motion, that the bid of Kelly & Wilson be rejected and ... the Commissioner of Public Works be and he is hereby authorized to construct said sewer ... with the City's forces.

There being no further business, the meeting, on motion, ... adjourned.

... Secretary-Treasurer.

Thursday, October 27, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on vacation. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Works it was ordered, on motion, that a 100 C. P. Tungsten light be installed at the intersection of Battle and Spruce Streets, in front of the Mt. Zion Baptist Church, colored.

The request for a light on Galax Avenue was, on motion, referred to the Commissioner of Public Works for investigation and report.

[illegible] were granted:

[illegible]	[illegible]	[illegible]	Estimated cost	$ 100.00
[illegible]	[illegible]	[illegible] W. A.	" "	2,000.00
[illegible]	[illegible]	[illegible]	" "	200.00
[illegible]	[illegible]	[illegible]	" "	60.00

[illegible]

[illegible]
Secretary-Treasurer.

Monday, October 31, 1921-- 11 o'clock, A. M.

The Board of Commissioners [illegible] in regular session, Mayor Roberts presiding. The [illegible] and approved.

[illegible]

Doctors C. P. Ambler, A. T. Pritchard, and J. M. Lynch, representing the Buncombe County Medical Association, appeared before the Board and endorsed the action of Health Officer Reynolds in refusing to allow the school children to participate in the [illegible] Day.

Dr. Ambler, acting as spokesman for the committee, stated that at a call meeting yesterday of the Buncombe County Medical Association, forty members present, it was unanimously voted to not only endorse Dr. Reynold's action with reference to the proposed [illegible] but also endorse his administration as health officer, the individual members present [illegible] being of the opinion that Dr. Reynolds is one of the most competent and capable men it was possible for the City to secure as City Physician.

Dr. Ambler stated that it is a recognized fact that diphtheria has broken out both in the city and county, three deaths resulting from this disease in the city in the past [illegible]. He also stated that it was easy to ascertain from the records available that an epidemic of infectious diseases among children always broke out after any large [illegible], [illegible], circuses, etc.

[illegible]

Mrs Gordan, representing some the mothers of the city, also endorsed Dr. Reynold's action, stating that the mothers of the city had ample confidence in him and believed that he was doing the best to protect the lives of the children of Asheville.

[illegible]

Mr. J. F. Barrett, representing the Central Labor Union, requested that the Board secure from the Corporation Counsel a legal opinion as to the eligibility of any person holding office in the city government. He requested that this opinion be submitted not later than 5 o'clock, Tuesday afternoon.

On motion, it was ordered that Mr. Barrett's request be complied with, the Corporation Counsel be requested to render an opinion as to the eligibility of a person to [illegible] office in the city government; said opinion to be rendered, if possible, before [illegible] o'clock, Tuesday, November 1st.

[illegible]

Messrs. Stevens, Barnett, Brown and Cowan, representing the Civitan, Kiwanis and Rotary Clubs, appeared before the Board and requested that a City Planning committee be appointed, the duties of the committee being to look thoroughly into the situation with reference to the future planning of Asheville, advertising and making known the advantages of adopting and following a definite plan to have charge of such details with reference to securing a competent man to make the plans as they may arise.

The Board expressed itself as being wholely in favor of the idea and it was suggested to the gentlemen present that this committee meet with the Board at some date in the near future with reference to the personnel of the committee and the adoption of some definite ideas in connection with the working out the plan suggested.

[illegible]

The application of the Richbourg Motor Company for permission to install a large electric sign over the sidewalk in the city was, on motion, referred to the Corporation Counsel for opinion as to the law governing the erection of electric illuminating signs in Asheville.

The Corporation Counsel was also requested to advise the Board whether or not it could pass an ordinance allowing the erection of an electric illuminating signs over sidewalk and prohibit the erection of wooden signs.

File No. 16
Letters [illegible]

[illegible]

A petition [illegible] from the intersection of [illegible] Avenue and Craven Street, [illegible] for investigation [illegible].

October the 1[illegible], 1921

We the [illegible] living on Craven St [illegible] Petition your Honorable [illegible] from R. F. [illegible] Craven Ave.

Respectfully,

J. [illegible]
R. C. [illegible]
J. P. [illegible]
W. F. Greene
[illegible] W. [illegible]
R. [illegible] Waren
[illegible]

[illegible]

A petition [illegible] by property owners of Third Avenue requesting that [illegible] be graded and made [illegible] between Michigan Avenue and Hanover Street was, on motion, taken under advisement, the Board deciding to go over the ground and investigate the conditions in person.

Oct. 27, 1921

WEST ASHEVILLE, N. C.
BUNCOMBE COUNTY.

TO THE HONORABLE MAYOR AND CITY COMMISSIONERS.

We, the undersigned property owners of Third Avenue between Michigan avenue and Hanover street, request your Honorable Body to grade and make the street [illegible].

C. J. Ingle [illegible] Third Ave., W. Asheville
J. B. Ingle, [illegible] Third Ave., W. Asheville
V. Lanning
Jerome Spivey, No 113
L. N. Plummons 10[illegible] Third Ave.
J. J. Angel [illegible] Third Ave.
L. C. Parks
Mrs. F. L. Wells
A. E. [illegible]
[illegible]
[illegible]
J. F. Spivey

[illegible]

The request of one Mr. Mears that he be allowed to [illegible] the water line on Richland Avenue without charge was, on motion, referred to the Commissioner of Public Works.

[illegible]

The request of Attorney Fred Sale that one of his clients be [illegible] a small peanut wagon on the street or sidewalk on Biltmore Avenue near the intersection of Eagle Street was, on motion, respectfully refused.

[illegible]

A request that an additional room be added to Buffalo Street school; that the flue in the school building be repaired and that the building be painted was, on motion, referred to Superintendent Brooker for investigation and written report.

[illegible]

A petition signed by citizens and property owners on Louisiana Avenue requesting the construction of a cinder sidewalk on said street and the installation of a street light thereon at a point between the terminus of the level stretch of street at top of hill near the lane leading west to Herron Avenue and the entrance to Frank Townsend property was read to the Board and, on motion, referred to the Commissioner of Public Works for investigation and report.

To the Mayor and Board of Commissioners of City of Asheville.

Gentlemen: We the undersigned citizens of the city of Asheville, and living and owning property on or adjacent to Louisiana Avenue in West Asheville, respectfully petition your honorable body to have placed on the west side of said Louisiana Avenue, a cinder side walk, if you can give us nothing better at present, so as to make it possible for pedestrians to reach the car line in safety and comfort

T. W. Bordan
Mrs. Dorcas R. [illegible]
Mrs Mentie Henry
R. P. Walker
Mrs. Thos S. Morison for
T. S. Morison
J. L. Bowler
Frank Townsend
W. L. Gwin
Mrs. K. P. Jarrett
J. H. Weaver

File No. [illegible]
Letters [illegible]

To the Honorable Board of Aldermen of the City of Asheville:-

We the undersigned Residents and property owners of the City of Asheville, living on or adjacent to Louisiana Avenue in West Asheville, respectfully petition your Honorable Body to [illegible] street from [illegible] Avenue, to a point between the terminus of [illegible] street car track and the bridge over the railroad near the land leading to Mr. [illegible] property

The Chief of Police reported that [illegible] had surrendered his public service chauffeur's license, [illegible], the Secretary-Treasurer was authorized and instructed to surrender his bond.

File No. [illegible]
Letters Rec'd

At the request of the Corporation Counsel, that the codification of the Charter, Ordinances and Resolutions of the City was not ready for the printer and making certain recommendations with reference to the printing of same was presented to the Board and, on motion, adopted; the Purchasing Agent being instructed to comply with the recommendations of the Corporation Counsel.

October 27, 1921.

To the Hon. Mayor and Board
of Commissioners of the
City of Asheville, N. C.

Gentlemen:

I beg to report that in accordance with and under and by virtue of the authority of that certain resolution passed by the Board of March 14th, 1921, requiring the codification of the Charter, Ordinances and Resolutions of the City of Asheville to be published by the said Board, I have copy for the same now ready for the printer.

I am of the opinion that the book when printed will be about [illegible] pages 7" x 10" printed matter, which should be published on a medium grade of white paper, 10-point leaded type, with the various sections numbered and captioned in black-face type, and in fraction larger than the 10-point type of the contents. The sections to be numbered and index prepared after the approval of the original copy is furnished by the printer.

I recommend that the index for the Charter and the Ordinances be printed [illegible] sheets of paper of a different color and heavier [illegible] than that used for the printing of the Charter and Ordinances, to facilitate the finding of the index.

I also suggest that the book when completed be bound in some serviceable but inexpensive binding, probably using a law buckram, and I suggest that the Board decide the number of copies to be printed and published, and that you advertise for bids for printing and publishing the afore-mentioned Code, in accordance with the provisions of the Charter of the City of Asheville.

Very truly yours,

Geo Pennell

GP

Corporation Counsel.

Reports from the City Physician, Electrical Inspector, Building Inspector, [illegible] Department of Public Safety, Sealer of Weights and Measures, and the City Chemist were read to the Board, and on motion, ordered filed.

[illegible] Counsel)

The Parent Teachers Association of the Buffalo St. School met at the School [illegible] Tuesday evening, Oct. 18, 1921.

After [illegible] the peculiar conditions existing at this school.

There are at the present time an enrollment of one hundred children ranging in grade from one to seven with their divisions. And only two teachers. We realize that under these conditions the children are not getting the necessary attention. Our school at least be three teachers. The building is sadly in need of painting both inside and out. Also it needs to be enlarged. We would suggest if the commissioners could see their way clear to provide a new building further back from the street. Therefore the following committee was appointed to take the matter up with the commissioners and request them to come out and look over the situation and see if they cannot divise some plan to relieve conditions.

Signed. M. H. Barton
Carrie Young
Mathew Peterson
Monroe Long.

On motion, the following building permits were granted:

M. Austin	Exterior Repairs	60 Oak Street	Estimated cost	$	.00
Lee Nash	2 Rooms Addition	Hensley Hall	"	"	.00
Mrs. Sprouse	Exterior Repairs	2 Fair St.	"	"	.00
V. Lanning	4 Room Residence	Third Ave.	"	"	.00
Mrs. H. J. Clark	Exterior Repairs	191 Cor. Liberty	"	"	4 .00
Baxter Lanning	4 Room House	7 Fifth Ave.	"	"	1, .00
Roger Sinkler	Garage	143 Pearson Drive	"	"	.00
Jos. C. Miser	[illegible]	[illegible]	"	"	.00
L. I. Cook	[illegible]	191 Charlotte	"	"	.00

One W. H. Coley, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

On motion, adjourned.

Secretary-Treasurer.

Tuesday, November 1, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Rollinson presiding. The minutes of the previous meeting were read and approved.

[illegible]

The request of Mr. Hawkins of Acton, N. C. for permission to sell [illegible] eradicator in the City was, on motion, taken under advisement; it being suggested to Mr. Hawkins that he bring in a sample of the eradicator and submit same to the City Bacteriologist for analyses for the Board's information.

[illegible]

Messrs. Fred Kent, A. F. Perry, Jr. and Attorney Charles G. Lee, representing the Asheville Enterprises, Inc., made application for a permit to construct a bridge twelve and one-half (12½) feet in height over the alley in the rear of 20 Patton Avenue connecting the Imperial Theatre with one of the buildings on Patton Avenue.

These gentlemen represented to the Board that this height, namely 12½ feet, was in excess of the height of any truck in the City, explaining that the highest trucks were the moving vans operated by the Asheville Transfer & Storage Company, which were only eleven and eleven and one-half feet high.

After some considerable discussion, during which the feasibility of lowering the grade of the alley was gone into at some length, it was ordered, on motion, that the permit requested be granted, the formal building permit to be issued at the regular meeting of the Board on November 2nd.

C. A. Gentry
Robt Davidson

On motion, it was ordered that the license granted C. A. Gentry & Son to conduct a lunch room, sell soft drinks, ice cream, cigars, cigarettes and tobacco at 20 Lexington Avenue be transferred to one Robt Davidson; Mr. Davidson having purchased the business.

S. J. [illegible]

On motion, the Mayor was authorized and instructed to issue a voucher for $5.34 in payment of the chaplain's badge furnished Mr. S. J. Penniman, Chaplain of the local Fire Department.

L. D. Robinson

On the recommendation of the Commissioner of Public Safety, one L. D. Robinson was appointed to a position of the Police force to fill a vacancy now existing.

[illegible]

One Arnold D. Brinkley, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

The report of the Chief of the Fire Department showing the activities of ... for the month of October was read and, on motion, ordered filed.

On motion, the following permits were granted:

[illegible]	[illegible]	[illegible]	Estimated cost	$ 200.00
[illegible]	[illegible]	[illegible] Haywood Ave.	" "	4,000.00
[illegible]	[illegible]	[illegible] Haywood Ave.	" "	4,000.00
[illegible]	[illegible]	[illegible] Merrimon Road	" "	4,000.00
[illegible]	[illegible]	[illegible] Haywood Ave.	" "	2,800.00

On motion, adjourned.

(s) D. L. Conder
Secretary-Treasurer.

Wednesday, November 2, 1921.-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The report of the Corporation Counsel giving his opinion as to the eligibility of ... to hold office in the city government was read to the Board and, on motion, ordered filed.

Nov. 1, 1921.

To the Honorable Chairman and Board of Commissioners,
City of Asheville, North Carolina.

Gentlemen:

I am in receipt of your communication of this date, as follows:

"At the regular meeting of the Board of Commissioners, date October 31st, Mr. S. F. Garrett, representing the Central Labor Union, requested that the Board secure from you a legal opinion as to the eligibility of any member of said Union to hold office in the city government. He requested that this matter be considered not later than 9 o'clock, Tuesday, November 1st, A.M.

On motion, it was ordered that Mr. Garrett's request be complied with, and that you be requested to render an opinion as to the eligibility of a member of said Union to hold office in the city government; said opinion to be rendered, if convenient, before 9 o'clock, Tuesday, November 1, 1921".

And in reply to your request contained therein, have to advise that Chapter 3[illegible], Private Laws of North Carolina, Session 1895, being "An Act to [illegible]", ratified the [illegible] and is the Charter of the City of Asheville," Section 41 thereof provides as follows:

"No person who is not a duly qualified elector of said city shall ... be eligible to ... office in said city, except a duly qualified elector thereof ... and no person shall be elected to or hold any office of said city."

The Charter was thereafter brought forward as Section 49 of the Craig Code, published in the year 1919, and as Section 137 of the Bourne Code, published in the year 1920; both of the aforementioned Codes having been duly published by the authorities of the City of Asheville, and that Chapter 46, Private Laws of North Carolina, Session 1921, being "An Act to ... the Charter of the City of Asheville," Section 29 thereof provides as follows:

"No one ... employment of the City of Asheville shall be eligible to any office in the government," and that Section 35 of the last mentioned Act provides: "In case of the removal of the Mayor, any Commissioner, of ... of the Police Court, from the territorial limits of said city, such ... shall ipso facto create a vacancy in his office." The last mentioned ... Chapter 137, Private Laws of North Carolina, Session 1917, by ... the end of said Section 35 after the word "office", the following, to-wit:

"Provided, however, that the provisions of this section shall not in any way interfere with any of said officers temporarily boarding or spending ... absence from the city limits, where such officer retains ... with said city and his said absence does not interfere with the duties of his office, and where such officer retains his legal residence in said City of Asheville."

I am of the opinion that the provisions of the Charter of the City of Asheville, as set forth above, provide that no person is eligible to hold office in the government of the City of Asheville, except residents and duly qualified electors of said City.

Respectfully submitted,

GP:P

[illegible] Pennell Corporation Counsel

With reference to the present petition in this connection relative to the resignation of Dr. C. V. Reynolds, Health Officer, Attorney J. [illegible] called attention to the fact that under the provisions of the government charter all matters pertaining to the [illegible] of the City are under the jurisdiction and control of the Commissioners, ruling the laws and charter [illegible] boards of the Commissioners, each officer and employee. Attorney Harrison stated clear distinction between trustees would lead to the logical conclusion that if the City that a strict ... trustees would lead to the logical conclusion that if the City Health Officer was an official within the meaning of the statute, the superintendent of public schools, ... trustees and policemen are also officers ... fifty per cent of the ... are not residents, ... it would be necessary to abolish their positions also.

Attorney Harrison asked for an opportunity to submit a ... in behalf of Dr. Reynolds in this matter.

Attorney Harrison was informed that the Board would be ... to receive his opinion and in this connection it was ordered, on motion, that the Corporation Counsel be requested to furnish the Board with an opinion as to whether or not Dr. Reynolds is an officer within the meaning of the statute.

The request of Mr. W. D. Broom that the letters to ... Electric Street be ... out and put in ... condition and a sewer constructed therein, together with the proposition that if the City would lay out the street, ... the fill on establish ... and ... fill and thank the property owners would pay ... their part of same immediately ... its consideration was, on motion, ... Board agreed to ... the ground and investigate conditions on ... afternoon.

On motion, the Mayor was authorized and instructed to issue a ... in favor of the Wachovia Bank & Trust Company for $34.70 refund of ... for the estate of Owen Worrell deceased.

A report ... and ... in the Department of Public Safety for the month of October was read and, on motion, ordered filed.

On motion, ... permits were granted:

Asheville Enterprises, Inc.	Marquee over sidewalk	[illegible]
	32 Patton Avenue	
Asheville Enterprises, Inc.	Bridge over Alley rear of	
	32 Patton Avenue connecting with Imperial Theatre	" " [illegible]

On motion, adjourned.

Secretary-Treasurer.

Thursday, November 3, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Public Sale--

Attorney Fred Sale, representing interested property owners, appeared before the Board and requested that some action be taken looking to the opening of Market Street as early as possible.

Mr. Sale was informed that it was the consensus of opinion of the Board that the street be opened at once provided the City's finances will permit and the Mayor promised to report the present status of the City's finances by tomorrow morning.

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that the following lights be ordered installed:

One 100 C. P. Tungsten on Louisiana opposite the old Dr. Orr place.
One 100 C. P. Tungsten at the intersection of Maple & Balsam Streets.
One 100 C. P. Tungsten at the intersection of Woody Avenue and Sixth St.

...over Hamilton Street this afternoon ...storm sewer in accordance with the request of Mr. McDowell.

...Board of City Commissioners meet with the Park ...this afternoon at 4 o'clock for the purpose of deciding just what improvements ...

...The request of Mrs. Johnson that a sewer be installed on Galax Street and Virginia Avenue and that Virginia Avenue be straightened out and a sidewalk be placed thereon was, on motion, taken under advisement; and Commissioner of Public Works, however, being instructed to start proceedings looking to the condemnation of the necessary land to straighten Virginia Avenue in the near future.

The opinion of the Corporation Counsel with reference to the erection of an electrical illuminating sign over the sidewalk in the City was read to the Board and, on motion, ordered filed; the request of the Richmond Motor Company for permission to erect ... sign, ..., on motion, respectfully refused.

November 2, 1921.

To the Board of City Commissioners
of the City of Asheville,
...

Gentlemen:

...request of the first in that, for legal opinion ...erection of electrical illuminating signs in ... ordinance covering this subject is ... that the title of "Electrical Signs", and ... that for not you could pass ... electric illuminating signs over side-... sidewalk signs, I have to advise that, in ... ordinance numbering the erection of metallic non-inflammable ..., prohibiting the erection of wooden signs, which as a matter of ... valid.

Very respectfully,
Geo Pennell,
Corporation Counsel.

An ordinance ... regulating the erection of signs in the City ..., on motion, passed on first reading.

A petition requesting the installation of a street light at the intersection of West ... and Woodlawn Avenue was presented to the Board and, on motion referred to the Commissioner of Public Works for investigation and report.

Asheville, N. C., November 1, 1921

TO THE HONORABLE BOARD OF CITY COMMISSIONERS OF THE CITY OF ASHEVILLE:

We, the undersigned, residents and property owners of the City of Asheville, respectfully petition your Honorable Board for a street light at the corner of West Chestnut Street and Woodlawn Avenue. This place is very dark, and a light ... would be a great benefit to the residents of that section.

Respectfully submitted

Signatures:

Walter Bolton
A. F. Young
Wm. J. H. Jones
... S. Hildebrand
Nathaniel W. Harris
L. F. Johnson
... Wm. McCants
Mrs. Ella Blalock
W. H. Hoyle
R. L. Worley
Emmett J. Dairs
W. M. Watts
J. W. Neely
James Arnold
W. C. Johnson

A proposition submitted by The Motor Company on two trucks was presented to the Board, and, on motion, ordered filed:

PRICE-PACKARD TWO TON-- F. O. B. Asheville, N. C. . . . . each $3,...

Price to City of Asheville.

Two (2) Trucks delivered in Asheville ... "e will allow the full ... on the ... Trucks of the ... make;

...

We can make delivery ... from ten days to two weeks from receipt of order.

Very truly yours,

THE MOTOR COMPANY

By T. A. Lindsey.

One David L. Wilson, having filed bond, ... recommendations, as required under the ordinance regulating public service ... and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the City was, on motion, approved, and it was ordered that he be granted the license requested.

One W. M. Alley, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the City was, on motion, approved, and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

J. W. Hunnicutt	6 room House	Michigan Avenue	Estimated cost	$ 3,...00
C. L. Creasman	Garage	35 Moody Street	" "	37.50
Mrs. Jno. A. Guffey	6 room House	Broadway & Monroe	" "	3,...00
Grand & Miller	Move Stens	7 Broadway	" "	20.00
Hobart Guy	4 room House	Hershey Heights	" "	2,...00

On motion, adjourned.

Secretary-Treasurer.

Friday, November 4, 1921-- ... o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

...AYCOCK

The request of one Jo...Aycock for a ... to sell ..., cigars and cigarettes at ... Avenue ..., was, on motion, refused, the license heretofore ... been transferred from Mr. Aycock to Mr. Johnson.

On the recommendation of the Commissioner of Public Works, ordered that a 100 C. P. Tungsten Light be installed at the intersection of Woodlawn Avenue and West Chestnut Street and a 100 C. P. Tungsten light be installed on ... Street ... half way between ... and Depot Street.

...

On motion of the Commissioner of Public Works, seconded by the Commissioner of Public Safety, it was ordered that the application of the ... Sanding Auto Supply Company ... for two ... back trucks, with the city to accept and ... the concern to own ... the ... truck, be accepted, and that the concern be ... the White truck he would ... in addition to the ... of the Mack

...ent for the opening ...Street, the Clerk was, ..., whereupon the following ...:

... ins. pipe sanitary ..., Manholes, etc. $ 400.50

...ment.

... ordinance regulating the construction and ... of electrical ... signs in the City of ..., on motion ordered on its second reading.

... ordinance, the ... placed on its third ... for the immediate preservation of the public ... of the citizens of said City, was declared an emergency ordinance ... duly ... and published in a newspaper published ... City.

AN ORDINANCE AMENDING AND RE-ENACTING THE ORDINANCE ... AND ... DAILY ELECTRICIAN ... IN THE CITY OF ASHEVILLE.

THE BOARD OF ... OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That ordinance adopted by the Board of Commissioners of the City of Asheville, A. D., 1911, entitled "An ordinance ... the construction and operation of electrically ... in the City of Asheville, ..." be and the same is hereby amended by striking out ... of Section 1 thereof and inserting in lieu thereof the following to read as follows:

"Section 1. No sign shall ... or project more than ... inches".

Section 2. That any ordinance or clause of ordinance in ... hereby repealed.

Section 3. That any person, firm or corporation violating any ... shall upon conviction be subject to a ... for each and every such offense.

Section 4. That this ordinance, for the immediate preservation of the peace, ... and safety of the citizens of said city, is hereby declared an emergency ordinance ... and shall take effect immediately after its passage ... in said City.

... ordinance, this the 3rd day of ..., A. D., 1911.

R. L. Fitzpatrick,
Commissioner.

Attest:

...,
... Board.

... Chief of Police, Board of Health, Water and Inspector's Departments, ... Officer, the City Plumber, Plumbing Inspector, Electrical ... Sealer of Weights and Measures and the Dog Catcher were ...

On motion, the following permits were granted:

L. A. Maloney	...	Estimated cost	$ 100.00
J. C. ...	... Lumber Company, Mill	" "	6,000.00

On motion, adjourned.

... Lander.
Secretary-Treasurer.

Saturday, November ..., 1911 -- 10 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor ... presiding. The minutes of the previous meeting were read and approved.

On motion, ... request of the Water Company for the return of ... filed in connection with their bills on water ... the City ... the Treasurer was authorized and instructed to return the ... on the ... of this concern ... with all papers in connection ...

On motion, it was ordered that the documents of the ... City located on the extension of Market Street be ... that the Paragraph ... be inserted to advert ... Commissioner of Public Works ... possible.

On motion, ... T. J. Coy was granted license ... dray in the city.

An ordinance amending ... traffic ordinance ... motor vehicles in ... Square for a ... presented to the Board and, on motion, ... on its first reading.

The license card granted one Harry L. Walton ... Secretary-Treasurer was, on motion, authorized and ... of the said Walton.

On motion, it was ... building permit to the ... Material Co., Inc., to ... one-half feet high over the alley in the rear of ... Imperial Theatre, be rescinded.

On motion of the Commissioner of Public Safety, ... ly adopted, it was ordered that the Asheville Enterprises, Inc., be ... permit to build a ... over the alley ... the Imperial Theatre ... on Lexington Avenue, ... in height ... over the alley; the estimated cost of the work to be one thousand ... dollars.

... --

The report of the Superintendent of the Water Department ... investigation of the claim of Mrs. P. H. Thrash with ref ... securing water to the ... of Mrs. Thrash on South ... Avenue, ... South French Broad Avenue was ... to the Board and, on motion, ... filed.

Asheville, N. C. Nov 3rd 1911.

Hon. Mayor and Commissioners, City of Asheville,

Gentlemen.

I respectfully submit this as my report on ... Thursday ... while in session, in regard to Mrs. P. H. Thrash ...

At, #329 ... ave the meter owned by Mrs. P.H. Thrash Keystone meter # 71904 the meter had been ... City Plumber (Mr. ...) ... found that the meter was not ... meter was put in place of the old keystone meter. And Mrs. Thrash is charged meter rent on new meter.
Mrs Thrash demanded by what ... City ... for meter. ... Question of the removal of ... meter was taken up with commissioner R.L. Sherrell and Mr ... Sherrell, directed that the old meter be returned to Mrs. Thrash, The old meter was returned to Mrs Thrash with ... meter as directed by Mr. Sherrell and a copy of this ... Mr. Sherrell.

Mrs.P.H.Thrash claims that she owns the meter at # 329 ... Broad Ave, The City is charging meter rent ... as the records show.

There ... meters in the only ones, that there ... a dispute about. Please find attached list of meter, owned and controlled by P.H.Thrash and wife.

Respectfully

F. M. Lindsey Supt.

Commission, ... permits were granted:

F. A. [illegible]	[illegible]	[illegible] Avenue	Estimated cost		$ 8,000.00
J. C. [illegible]	Room	[illegible] Road	"	"	50.00
Miley [illegible]	Garage	[illegible] Street Entrance	"	"	50.00
J. L. Ammons	[illegible]	[illegible] Road	"	"	4,000.00
[illegible]	[illegible]	[illegible] Alley [illegible] Patton Avenue	"	"	1,000.00

On motion, ... ved:

Secretary-Treasurer.

Monday, November 7, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, ... that the retail license granted one I. V. Cagle to sell [illegible], ... Patton Ave. and Biltmore Avenue and Broadway be transferred to Mack Miller; ... Miller purchased the business.

An application for permission to operate a pop corn machine on the public street within the ... district was, on motion, respectfully refused.

... E. T. W. Wood, ... Williams, ... appeared before the Board and protested against the adoption of the ordinance proposed by the Commissioner of Public Safety, prohibiting parking on North Pack Square for a longer period than thirty minutes, contending that this ordinance, in its present form, would not eliminate any of the existing traffic conditions, but would work a hardship on the business men with offices located on the square.

After the many suggestions offered by the gentlemen present in regard to this ... the suggestion to prohibit [illegible] parking, which was discussed at some length. The Chief of Police and the Chief of the Fire Department called attention to the fact that North Pack Square, in its present condition, constitutes a serious fire hazard; the Chief of the Fire Department stated that, at present, in case of a fire in any of the buildings on that side of the street, due to the automobiles parked, some times two or three deep, it would be impossible to get into the curb with the fire apparatus.

After further discussion, it was ordered, on motion, that the proposed ordinance ... to remain pending for an unlimited time after 6:30 o'clock, P. M.

On motion, ... that the ordinance prohibiting parking on North Pack Square ... thirty minutes, as ... led, be passed on the second ... ing.

The claim of Dr. A. W. Smith, Dr. W. J. Hunnicutt and the Mary Fletcher Hospital ... for treatment ... Dr. Ellis ... e, injured by one of the city's trucks some ... , ... on, ... to the Board and, on motion, taken under advisement.

Dr. A. W. [illegible]	$100.00
Dr. W. J. [illegible]mutt	20.00
[illegible] Hospital	197.69

On motion, ... building permit was granted:

W. H. [illegible]well ... Room [illegible] ... Portland Avenue Estimated cost $250.00

On motion, ... ourned.

Secretary-Treasurer.

Tuesday, [illegible], 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of Mrs. A. G. Barrett that two lights be installed on Orchard Place between ... Place and that Hillcrest Street be ... was, on motion, referred to the Commissioner of Public Works for investigation and report.

An ordinance prohibiting parking on North Pack Square for a ... than thirty minutes ... the Police Department for the immediate protection of the public ... and ... the citizens said ordinance declared an emergency ordinance to take effect ... after its passage and ... in a newspaper published in said city.

AN ORDINANCE PROHIBITING PARKING ON NORTH PACK SQUARE FOR MORE THAN THIRTY MINUTES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the Traffic Ordinance of the City of Asheville, and the ... ordinances ... hereby amended as follows:

That ... , there ... or motor ... shall ... or ... vehicles ... on North Pack Square from the intersection with Market Street to the intersection with Broadway for a period of time longer than thirty (30) minutes at any one time within the ... limits of the City of Asheville; and at the end of the period of time aforesaid be and the ... is hereby required to be moved from the lines painted or marked a ... distance ... One Hundred and Fifty (150) yards.

PROVIDED, HOWEVER, the provisions of this ordinance shall not apply between the hours of 6:30 o'clock, P. M. and 7:30 o'clock, A. M.

Section 2. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

Section 3. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said city, is hereby declared an emergency ordinance to take effect immediately after its passage and publication in a newspaper published in said city.

I move the adoption of the foregoing ordinance, this the 8th day of November, A. D., 1921.

R. I. Fitzgerald, Commissioner.

Approved as to form:

Geo. Pennell

Corporation Counsel.

This being the first regular meeting after the filing of the report of the jury fixing benefits and damages assessed by reason of the proposed widening of Valley, College, Oak, Woodfin and Charlotte Streets, the said report was presented to the Board for action.

Attorney E. T. Williams, representing A. G. and W. D. Barrett, Julia B. ... representing Morris Myers, Messrs. J. ... Holt & Co., F. W. Beckwith, W. C. Pennell and T. J. Hipps, interested property owners, filed objection to the confirmation of the said report on the grounds that the ... awarded were not commensurate with the property, taken and the benefits in a number of ... cases not in accordance with the actual benefits assessed.

At the request of Mayor E. W. Wells, representing ... property owners, it was ordered, on motion, that the ... Board adjourn until 3 o'clock, P. M. this afternoon in order that all interested property ... have time in which to examine the report of the jury before the Board took final action.

November 8, 1921.

To the Honorable Mayor and Board of
Commissioners of the City of Asheville,
North Carolina:

Gentlemen:

I ... City ... objection to the report of the jury on the widening of Valley, Oak, College, Woodfin and Charlotte Street, affecting my property at 104 Woodfin Street, and I am ... filing notice to appeal said matter to the Superior Court of Buncombe County.

Yours truly,

E. M. Wiese.

File No. /

[illegible] exceptions to the report [illegible] property located on the Northern [illegible] Street submitted containing [illegible] assessments of damages for the [illegible] of Valley, Oak and Charlotte Streets.

This the 8th day of November, 1921.

W. C. Pennell.

On motion, the following building permits were granted:

[illegible]	[illegible] House	Buffalo Street	Estimated cost	$1,000.00
[illegible]	Garage	51 Madison Ave.	" "	50.00
Millard Shaw	Repairs	17 Correll St.	" "	25.00
[illegible]	[illegible]	322 Villanow St.	" "	100.00
[illegible]	Garage	29 Baird St.	" "	100.00

On motion, the Board stood in recess until 3 o'clock P. M. Nov. 8, 1921.

Secretary-Treasurer

Tuesday, Nov. 8, 1921-- 3 o'clock, P. M.

The Board of Commissioners met according to adjournment for the purpose of [illegible] the report of the jury on the damages awarded and benefits assessed on account of the opening of Valley, College, Oak, Woodfin and Charlotte Streets; Mayor Roberts presiding. Present and participating in said meeting: W. C. Pennell, Commissioner of Public Works and R. L. Fitzsimmons, Commissioner of Public Safety.

In view of the fact that the Corporation Counsel reported that the report of the jury awarding damages awarded and benefits assessed on account of the proposed opening of Valley, College, Oak, Woodfin and Charlotte Streets, was irregular and [illegible] as to its legality, on motion of the Commissioner of Public Works, duly seconded and unanimously adopted, it was ordered that the report of the jury be rejected.

There being no further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Wednesday, November 9, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A petition requesting the opening of Howard Street between Waynesville Avenue and Haywood Road was presented to the Board and, on motion, taken under advisement; and Mayor Roberts to go over the ground and investigate conditions in person.

Oct. 28, 1921.

Board of Aldermen,
Asheville, N. C.

Gentlemen:

MAYOR AND CITY COMMISSIONER

We, the undersigned property owners on Howard street between Waynesville avenue and Haywood road request that your Honorable Body does grade and [illegible] this street at [illegible].

Mrs. W. E. Logan
Ray F. Foster
J. C. Peigler
W. C. Hill
W. C. Andrews
[illegible] Thompson
W. H. Tiney
W. H. Harvey
Mrs. W. A. McCollum
F. A. McCollum
Alfred Moore
H. T. Moore
E. W. Weaver
G. L. King
Luther Burnett
J. A. Bryson
R. F. Hill
Mrs B. Foster Crogan
M. T. Price
Mrs E. Lee Cunningham
Mrs T. B. Allison

Attorney Garvin Pennell, representing the [illegible], presented to the Board of Commissioners and heads of the various departments of the city government a cordial invitation and request that they not only participate in the parade, but the active part they will; in this connection and asked that the Commissioners be at the Court House Friday morning at 10:[illegible], where they will be furnished with automobiles to convey them to the Auditorium.

The request of the American Legion for permission to hold [illegible] the Court House to the Auditorium, also the request for the fire [illegible] from 11 o'clock until [illegible] later after it was learned that the Mayor and heads of the departments will be [illegible] to issue a proclamation [illegible] from 10:45 A. M. until 11 o'clock, A. M. and for permission for the [illegible] to file a [illegible] entrances in front of the Auditorium [illegible], were granted.

On motion, the following building permits were granted:

Wise Gibbs	[illegible] House	Hall & Patrick St.	"	"
Mrs. Jas. Welch	[illegible] Porch	[illegible] Front	"	"
Sam Parks	Repairs	192 Pine Street	"	"
C. D. Joyner	[illegible] Store	South Side [illegible]	"	"
Mrs. C. W. Correll	[illegible] House	[illegible]	"	"
Margaret P. Correll	7 room House	East & West Street	"	"
[illegible]	[illegible]	[illegible]	"	"
[illegible] Watson	Shed	[illegible]	"	"
[illegible]	[illegible]	[illegible]	"	"
[illegible]	[illegible]	[illegible]	"	"
[illegible]	[illegible]	[illegible]	"	"

On motion, adjourned.

Secretary-Treasurer.

Thursday, November 10, 1921-- 11o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Safety, it was ordered that the [illegible] present light at [illegible] Hunter's home, be [illegible].

A petition [illegible] that Florida Avenue [illegible] Haywood Road be [illegible] and, on motion, referred to the City Engineer for [illegible] as to the [illegible] property owners represented in same.

On motion, the following building permit was granted:

Mrs. W. H. [illegible] [illegible] 171 Grove Park Terrace [illegible].

On motion, [illegible].

Secretary-Treasurer.

Saturday, November 12, 1921-- 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. [illegible] approved.

[illegible] the space now occupied by the Star Market [illegible] as office space be turned into a stall was, on [illegible], the Board agreeing to investigate the matter in person.

The City Engineer [illegible] plat or map of Electric & State Streets, also [illegible] cost of grading these streets and constructing a sewer [illegible] if these streets were graded at this [illegible] during the winter months, therefore, it [illegible] discussed further with the interested [illegible] definite action is taken.

[illegible] that the Purchasing Agent be authorized and instructed [illegible] of a sanitary sewer line on Craven Street; the [illegible] according to the specifications of the City Engineer.

[illegible] court record, doctor's certificate and [illegible] the ordinance regulating public service automobiles and [illegible] application for a chauffeur's license to operate a public [illegible] was ordered, that [illegible] requested.

[illegible] from the [illegible], Street, Street Cleaning, Health and Incinerator Departments, [illegible], Electrical Inspector, Building Inspector, City Plumber, Public [illegible] Association, Inspector of Restaurants and the Dog Catcher were read and [illegible].

On motion, the following building permits were granted:

[illegible]	Garage	64 Woodfin St.	Estimated cost	$ 50.00
[illegible]	[illegible]	Eagle	" "	1,500.00
[illegible]	Garage	97 Ashland Ave.	" "	236.50
[illegible]	[illegible]	Lyman St.	" "	1,000.00

On motion, adjourned.

Secretary-Treasurer.

[illegible], November 14, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor [illegible] [illegible] approved.

The request of [illegible] for permission to [illegible] conduct a lunch room and sell cigars and cigarettes to a [illegible] across the street, [illegible] motion, refused.

A petition requesting the paving of Meadow Lane was [illegible] for investigation and report [illegible] property owners represented [illegible].

TO THE HONORABLE [illegible] BOARD OF COMMISSIONERS OF THE CITY OF [illegible], [illegible] CAROLINA:

We, the undersigned, owners of the property fronting on Meadow's Lane, petition your Honorable Board to [illegible] street [illegible] paving material, [illegible] concrete or citulithic.

We further [illegible] that the undersigned [illegible] the owners of [illegible] on Meadow's Lane, [illegible] majority of [illegible] street.

Respectfully submitted,

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

The City Engineer's report [illegible] requesting the paving of Richmond Avenue was sufficient [illegible] presented and, on motion, ordered filed.

On motion, the following building permit was granted:

[illegible] Toms 2- 4 room Houses [illegible] Estimated cost $1,[illegible] [illegible]

On motion, [illegible].

Secretary-Treasurer.

Tuesday, November 15, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. [illegible] Sherrill [illegible] approved.

One Will [illegible] filed bond, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and [illegible] application for a chauffeur's license to operate a public service automobile [illegible], on motion, approved [illegible] granted the license requested.

On motion, the following building permits were granted:

C. Murrow & [illegible] C. Davis	Business [illegible] & 5 rm Apt.	227 Merrimon Ave.	Estimated cost	$ [illegible]
[illegible] Campbell	5 room House	Panola Street	" "	[illegible]
T. Pogram	Repair Roof	20 Ridge Street	" "	[illegible]
[illegible] Wilson	Recover House	Southside Ave. & [illegible] St.	" "	[illegible]
C. McArthur	Change Store Front	24 Market Street	" "	[illegible]

On motion, adjourned.

Secretary-Treasurer.

[illegible]day, November 16, 1921-- 11 o'clock A.M.

The [illegible] Board met in regular session, Mayor Roberts presiding. Commissioner Cherrill absent on vacation. The minutes of the previous meeting were [illegible].

The City Engineer's report was received and stated that according to his investigation the petition to open the alley off Hilliard's land was sufficient both as to frontage and property owners, and recommended that, in his opinion, prayer be granted.

The [illegible] advertisement were received for the property occupied by the Annandale Dairy [illegible], whereupon the following bids were submitted:

L. L. Brady	30.00
C. A. Liberty	7[illegible].00

On motion, [illegible] was awarded.

On motion, the following building permits were granted:

Mrs. A. [illegible]	[illegible] 2 Rooms	[illegible]	Estimated cost	$2 0.00
T.F. & L.[illegible]	Delaney New Town	Pennsylvania Avenue	" "	400.00
			" "	20.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, November 17, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Cherrill absent on vacation. The minutes of the previous meeting were [illegible].

It was [illegible], on motion, that all bids submitted for the purpose of the [illegible] property on Walnut Street, be rejected and that the Purchasing Agent be instructed to readvertise for bids on said buildings, returnable Monday, November 21st.

Attorney J. W. Wyatt appeared before the Board and requested that Dr. W. B. Hobson, Health Officer, be sent to the Tuberculosis Eradication Conference to be held in Chicago, November 20th and 21st.

The Board agreed to send Dr. Hobson provided the County will join in the [illegible].

The request of [illegible] Association to sell rheumatism [illegible] in the city was, on motion, [illegible].

On motion, the following building permits were granted:

W. A. [illegible]	[illegible]	Whitaker Avenue	Estimated cost	$ 60.00
J. A. [illegible]	[illegible]	32 Victoria Place	" "	3,000.00
G. E. Adams	[illegible]	Patton Drive	" "	150.00
R. T. Redmond	4 r[illegible]	[illegible]ry	" "	400.00

On motion, adjourned.

Secretary-Treasurer.

File No. [illegible]
Letters [illegible]

Friday, November [illegible], 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Cherrill absent on vacation. The minutes of the previous meeting were approved.

On motion, it was ordered that the special license issued to one W. L. McBrayer to sell cigars, cigarettes and tobacco at 332 Southside Avenue be transferred to C. F. Fridge; Mr. Fridge having purchased the business.

The application of one C. F. Fridge, a disabled man, for a license to sell cigars, cigarettes and tobacco at 332 Southside Avenue was, on motion, granted.

The following resolution was presented to the Board and, on motion, adopted; the Mayor being authorized to execute the deed mentioned in the resolution:

WHEREAS, on March 30, 1916, pursuant to an agreement previously made and for considerations then or previously received, the City of Asheville, through its proper officers, conveyed or attempted to convey to Hugh LaMarbe, of Asheville, N. C., a strip of land on the South side of Hillside Street in the City of Asheville, said deed being recorded in Book 207, page 70 in the office of the Register of Deeds for Buncombe County, N. C.; and

WHEREAS, a question has arisen as to the sufficiency of the proof of the execution of said deed which it is desired to settle:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Asheville, that the Mayor and City Clerk be and are hereby authorized to execute and deliver to Hugh LaMarbe in the name of the City a deed of conveyance for the lot described in the deed above mentioned.

I move the adoption of the foregoing [illegible], this the 16th day of November, 1921

Gallatin Roberts
Commissioner.

The request of J. V. Eagle that the street line and grade be established on Mitchell [illegible] was, on motion, referred to the City Engineer.

A request for a street light on South Ann Street was, on motion, referred to the Commissioner of Public Works.

The request of Mrs. J. A. Stark that the grade be established on [illegible] Avenue was, on motion, referred to the City Engineer.

One Mack Sherard, having filed bond, court record, doctor's certificate and recommendation, as required under the Ordinance regulating public service automobiles in all [illegible], the application for a chauffeur's license to operate a public service automobile in the City was, on motion, approved and it was ordered that he be granted the license requested.

Reports from the Street, Street Cleaning, Health and Incinerator Departments, Public Health Nursing Association, Sealer of Weights and Measures, Building Inspector, Plumbing Inspector, Electrical Inspector, City [illegible] and Dog Catcher were received and, on motion, ordered filed.

On motion, the following building permits were granted:

[illegible] L. Radcliff	5 room Bungalow	Hearney Heights	Estimated cost	$ 2,[illegible].00
[illegible]. Carrough	11 room House	Eagle Street	" "	1,[illegible].00
[illegible]. Page	Store & 3 Rooms	Poplar & Brick	" "	2,[illegible].00

On motion, adjourned

Secretary-Treasurer.

File No. 3C
Letters Garage &

[illegible], November 19, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved, Commissioner Sherrill absent on vacation.

[illegible]

On motion, the Purchasing Agent was authorized and instructed to advertise for bids for the three buildings located on the several property corner of Orange Street and Central Avenue.

[illegible]

On motion, the following permits were granted:

W. H. Lenoir	2 Rooms	Livingston & Walton St.	Estimated cost	"	$ 150.00
R.W. Kilpatrick	Repairs	3 Baird Street	"	"	150.00
Ralph Lindsey	Dwelling	103 Annandale Ave.	"	"	4,500.00
D. F. Murphy	Garage	32 Chestnut Street	"	"	100.00
Chas. D. Malone	[illegible]	Merrimon Avenue	"	"	9,000.00
D. T. Keener	[illegible]	Wells Plat Haywood Road	"	"	4,000.00

On motion, adjourned.

Secretary-Treasurer.

Monday, November 21, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

This being the day advertised for the City's advertisement for the submission of bids on the [illegible] located on the proposed extension of Market Street, the Clerk was, on motion, instructed to open and read all bids, whereupon the following bids were opened and read to the Board:

File No. 1
Letter Market

M. A. Alexander	$ 121.00
Albert Swift	105.00
I. L. Merchant	112.50
C. M. Dominse	107.00
S. M. Fletcher	110.00
J. M. Buckner	123.75
J. W. Burton	125.00

It appearing to the Board that the bid of J. W. Burton of $125.00 was the best and highest bid submitted, upon motion duly seconded and unanimously carried, the building [illegible] was awarded to him and the Mayor authorized to execute the same.

[illegible]

The City Engineer's report showing the total and prorata cost to property owners of the construction of six inch sanitary sewer on Louisiana Avenue from Haywood Road north, was presented to the Board and, on motion, ordered advertised in accordance with law.

[illegible]

On motion, the following permits were granted:

Edith Cather [illegible]					
Home	[illegible]	Atkinson Street	Estimated cost		$6,000.00
Mamie Parker	Porch	45 Pine Street	"	"	25.00
T. J. Franklin	Garage	32 Panola Street	"	"	300.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, November [illegible], 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

On motion, it was ordered by the Board at the request of Mr. [illegible], that the small [illegible] house as office space, [illegible] in the rear thereof.

[illegible]

The report of the [illegible] relative to the extension of certain land [illegible], by extending Fairfield Avenue through to Market Street was presented to the Board [illegible] and ordered filed with the Tax Collector [illegible].

To the [illegible] Board of Commissioners of the City of Asheville, [illegible]:

We, the [illegible] damages to the [illegible]

J. A. Penrod	J. F. Jackson
Laura A. Davis	[illegible]
M. Garland	[illegible]
Mary E. Sweet	[illegible]
Virginia Pope	[illegible]
H. A. Wells	[illegible]
J. W. Tow	[illegible]
M. A. Alexander	[illegible]
R. Y. Zachary	T. H. Ray

owners of land situate [illegible] which property is [illegible] by the Board of Commissioners of the City of Asheville for the purpose of extending Fairfield Avenue to Market Street a distance of [illegible] feet and also to take title to the lands [illegible] for the condemnation of land for said purpose, [illegible] City of Asheville, at their meeting held on the [illegible] day of October, pursuance of the writ of [illegible] issued by the Mayor of said City, dated October [illegible], directing a jury of said City to summon a jury for said purpose.

We, the said jury, having been duly summoned and sworn, [illegible] report as follows:

That on the 31st day of November the said jurors [illegible] had due notice we proceeded to view the lands sought to be condemned for the proposed improvement, being the extension of Fairfield Avenue, as surveyed and staked off by the City Engineer, from Fairfield Avenue to Market Street, and after the view the lands contiguous thereto, and of the [illegible] portion sought to be condemned, and we find as follows:

That the lands of E. F. Wilson [illegible] is damaged [illegible] Dollars,
" " " " M. A. Alexander " " [illegible]
fifty-[illegible] and [illegible] Dollars.

That the [illegible] of the following are assessed [illegible] as follows:

	Lot No.	Feet	Amount
J. A. Penrod	78-D	50	1.00
Laura A. Davis	73-[illegible]	50	1.00
" " "			
M. Garland	76	50	1.00
Mary E. Sweet	74½	50	1.00
M. Garland	74	50	1.00
Virginia Pope	72	50	1.00
H. A. Wells	70	60	1.20
M. Garland	69½	60	1.20
M. Garland	68	60	1.20
Virginia Pope	66	60	1.20
J. W. Tow	64	60	1.20
" " "		60	1.20
" " "	62½	60	1.20
	62	60	1.20
H. A. Wells	60	60.5	1.21
" "	79	100	2.55
" " "	77	80	2.00
" " "	75	80	2.00
" " "	73	80	2.00
" " "	71	80	2.00
Hall & Randolph	69	80	2.00
H. A. Wells	103	60	1.20
" "	67	80	1.60
" " "	65	80	1.60
" " "	63	80	1.60
M. A. Alexander	61	80	1.60
R. Y. Zachery	58	80	1.60
J. F. Jackson	91	152.6	24.42
Daisy M. Mitchell	111	102.7	16.60
S. J. Taylor	110	60	9.60
C. G. Terhune	109	60	9.60
W. F. Rogers	108	60	9.60
E. Ball	107	60	9.60
	106	60	9.60

	Lot No.	Feet	Amount
J. L. Jones	4	60	9.60
[illegible]	3	60	9.60
[illegible]	[illegible]	60	9.60
" "	[illegible]	68	9.60
Howard W. Simmons	11	60	9.60
[illegible]	114	60	9.60
" " "	115	60	9.60
J. W. Roberts	116	60	9.60
John M. Reidy	117	60	9.60
J. W. Roberts	119	60	6.00
" " "	104	60	6.00
J. L. Randall	105	60	6.00
[illegible]	[illegible]	60	6.00
[illegible]	118	60	6.00
E. E. Vogt	120	55	5.50
" " "	120	55	5.50
" " "	121	55	5.50
" " "	122	55	5.50
" " "	123	60.1	6.00
			427.77

Respectfully submitted,

Jas. E. McDowell
John E. Patton
J. L. Martin
R. L. Chance
D. J. Fanning
A. J. Barnett

File No. 20 Letters Ewing

On motion duly made and seconded, the Purchasing Agent was authorized and instructed to advertise for bids for the construction of a school building on Catholic Hill in accordance with the plans and specifications as prepared by Mr. Donald Greene, Architect; all bids to be returnable by December 1, 1921, the City reserving the right to reject any and all bids

---

Petitions signed by the girls and student body of the Asheville High School commemin, the person or persons circulating certain alleged slanderous and infamous propaganda detrimental to the honor and innocence of the girls of said school were read to the Board and, on motion, duly seconded and unanimously adopted, it was ordered that the matter be taken up and thoroughly investigated by the Mayor and the Commissioner of Public Safety, the Commissioner of Public Works stating that he would render any assistance within his power in the investigation.

To the Mayor and City Commissioners:

We, the undersigned, representing the girls of the Asheville High School, wish to make a public statement concerning the slanderous and infamous propaganda circulating to defect the purity, honor and innocence of the girls of the Asheville High School. We demand that the perpetrators of such individual trouble be forced to make a public apology, not only to the citizens of Asheville, but before the student body of the Asheville High School. We feel that it is only just to us that our petition along this line receive such action as will bring about the prosecution of the real originators.

Furthermore, we wish to extend to Attorney George Pennell our heartfelt appreciation and gratitude for his loyal stand in regard to this matter.

Signed:

Dorothy V. Jordan
Elizabeth L. Cobb
Gertrude Tennant
Julia Blanvelt.

The [illegible] resolutions were [illegible] unanimously by the girls of the High [illegible] body [illegible] meeting.

Asheville High School
November [illegible], 1921

To the [illegible] Mayor and Commissioners of the City of Asheville we [illegible] the following petition:

We, the undersigned students of the Asheville High School, do hereby condemn in the strongest terms those persons who, so utterly lacking in [illegible] and loyalty to the city and institution as to [illegible] the circulation of the [illegible] and unmorality of the [illegible] upon the student body. These insidious remarks reflect not only upon the students of the Asheville High School but also upon the parents of these students, and as true citizens of Asheville we believe that it is only a just demand that the guilty parties be brought before the courts for speedy trial.

Maurice Jarrett
President of Senior Class

Joe Cantwell
President of Athenean Literary Society

[illegible] Smith
Manager of Basketball team.

[illegible]

Signed: By 127 boys.

[illegible]

On motion, it was ordered that a permit be granted certain persons to conduct religious services on the streets, under the direction and supervision of the Commissioner of Public Safety and the Chief of Police.

[illegible]

The request of [illegible] J. E. Brookshire, [illegible] that the citizens of West Asheville, that work be started immediately on the grading of West Asheville school grounds, was, on motion, referred to the Commissioner of Public Works for investigation and report.

[illegible]

On motion, the following building permits were granted:

W. A. Bell	5 room bungalow	Pennsylvania Avenue	[illegible]	[illegible]	[illegible]
S. J. Sterling	2 room addition	24 Herman Avenue	"	"	25.00
Ideal Amusement & Investment Co	Electric Sign	Top of Emporium Store	"	"	3 [illegible]
T. L. Candler	Repairs	Horney Street	"	"	[illegible]

On motion, [illegible].

Secretary-Treasurer.

Wednesday, November 23, 1921 -- [illegible], N. C.

The Board of Commissioners met in regular session, Mayor Rollins presiding. The minutes of the previous meeting read and approved.

[illegible]
[illegible] Report

On motion, duly seconded and unanimously adopted, the following resolution was passed:

BE IT RESOLVED by the Board of Commissioners of the City of Asheville that the Asheville Telephone & Telegraph Company be granted permission to hang 400 pair telephone cable to the curb line of the concrete bridge across French Broad River, provided permission can be secured of the County Board of Commissioners and provided further that said cable is installed so it can be readily removed in case of necessary repairs to said bridge.

I move the adoption of the foregoing resolution, this the 23rd day of November, 1921

R. J. Sherrill
Commissioner.

File No. 20 Letters Ewing

[illegible], representing Mr. Lyman appeared before the Board and presented a petition requesting the installation of automatic road signals, similar to those now in use at the [illegible] Square, at the corner of South Lombardy Avenue and Patton Avenue, at the intersection of Patton Avenue and Church Street and Patton Avenue.

On motion, this matter was referred to the Commissioner of Public Works for investigation and report.

A petition requesting the installation of a street light near the intersection of [illegible] was presented to the Board and, on motion, referred to the Commissioner of Public Works for investigation and report.

[illegible] be refunded $5.00 of the amount charged him for service connection on Blendy Street.

This action is taken in view of the fact that Mr. Ledbetter paid $10.00 for the [illegible], only $7.50

On motion, the following building permits were granted:

F. H. Sloop	Repairs	249 Haywood Place	Estimated cost	$ 25.00
Mrs. A.[illegible]	Frame House	Broadway Road Starnes	" "	2,000.00
[illegible]	Frame [illegible]	27 Brevard Road	" "	3,000.00
A.W.Fairchild & W.B.Timberman	Frame [illegible]	Murrey Heights	" "	3,000.00
C.F. Clayton	Frame [illegible]	Mitchell Avenue	" "	3,500.00
C.L.Sluder	Repairs	Tierman Street	" "	100.00
[illegible]	Frame House	Murrey St.	" "	2,000.00
[illegible]	[illegible]	64 [illegible] Street	" "	200.00

On motion, adjourned.

Secretary-Treasurer.

Friday, November 25, 1921-- 2 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible], which was referred by the City Engineer was inspected and a zone of [illegible] in breadth of the [illegible] 6 inch sewer on Virginia Avenue and Galax Street was fixed. [illegible] was instructed to confer with [illegible] and secure the necessary right of way through [illegible] to [illegible].

The following report from the City Treasurer in regard to the receipt of [illegible] was presented, and, on motion, ordered read [illegible] and ordered filed:

[illegible]	$10.00
[illegible]	7.50

On motion, it was ordered that Mr. I. J. Garrison be refunded $1.00, electric [illegible] reporting irregularities in fixtures.

On motion, it was ordered that Mrs. Jno J. Crowley be refunded $1.00, electric [illegible] reporting irregularities in fixtures.

Reports of Chief of Police, Street Cleaning, Health and Incinerator Departments, the Building Inspector, [illegible], the Plumbing, Electrical and Building Inspectors were read from the Year Ending [illegible], on motion, ordered filed.

On motion, the following building permits were granted:

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
A. Brooks	Garage	[illegible]	" "	[illegible]
W. Garland	[illegible]	[illegible]	" "	[illegible]
Mrs. L. Bryan	[illegible]	[illegible]	" "	[illegible]

On motion, adjourned.

Secretary-Treasurer.

The Board of [illegible] met in regular session, Mayor [illegible] presiding. The minutes of the previous meeting were read and approved.

There being no [illegible], on motion, adjourned.

Secretary-Treasurer.

The Board of Commissioners met in regular session, Mayor [illegible] presiding. The minutes of the previous meeting were read and approved.

A large committee of citizens of the [illegible] Ward, headed by Mr. F. T. [illegible] ing as spokesman, appeared before the Board of Public Works to ask that [illegible] be made in regard to [illegible] in connection with the [illegible] Avenue.

Dr. Carmichael, [illegible] committee, made a plea for [illegible] already been ordered [illegible] this matter must [illegible].

Mrs. Curtis [illegible], representing the [illegible] Parent-Teacher Association, asked that the [illegible] Avenue [illegible] Asheville [illegible] Association thought [illegible], that the [illegible] Council and other citizens are being done a [illegible] petitioned.

A petition [illegible] Avenue and Eugene [illegible] the [illegible] the installation and [illegible].

Clerk of Public Works,

We, the [illegible] Commissioners to [illegible] Eugene Ave.

Jake [illegible]
[illegible]
[illegible]

On motion, it was ordered that [illegible] Brevard Road in the [illegible] Mr. Corbin's residence.

The proposition of Mr. I. J. Rice that he would install a [illegible] Jefferson Avenue or an alley west of Pine Street [illegible] the connection at Morrison [illegible] and instructed to [illegible] the matter.

On motion, the following building permits were granted:

[illegible] Oil Co.	[illegible]	[illegible]	[illegible]	[illegible]
[illegible] P. Davis	Repairs	174 Charlotte St.	" "	10.
[illegible] M. [illegible]	Bath Room	[illegible] St.	" "	[illegible]

On motion, adjourned.

Secretary-Treasurer.

Tuesday, November 8, 1921-- 11 o'clock,A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Rafter Carroll, representing the owner of the Erwin property on Merrimon Avenue, asked that the City Commissioners release the paving agreements levied against that property, because the street on the property was dirt to spill over on the property, and because the street, as now graded, is considerably above the property in front.

This matter, on motion, was referred to the City Attorney for investigation.

The petition of Mr. J. W. Brown and others, praying for the paving of Cumberland Avenue in front of their property, was presented to the Board, and it appearing that there are some [illegible] in the petition, on motion, the petition was referred to the City Attorney for investigation.

Upon the application of the Board of County Commissioners, it was ordered, on motion, that the Register of Deeds be authorized to issue a Retail Liquor tax license to [illegible] at 31 Patton Avenue.

This matter coming on to be heard upon the tax in question and upon said [illegible].

On motion, the following bills were ordered paid:

W. A. [illegible]	Rock House	Town & Turtlett St.	Patterson cont	$ 2,500.✓
[illegible] Co.	[illegible] Board	Haywood Road	" "	110.✓
[illegible]	Beaver House	2 Ann Street	" "	300.✓

On motion, it was ordered.

City-Treasurer.

[illegible], November 3d, 1921-- 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. R. L. Fitzpatrick appeared before the Board relative to a controversy between the Water Department and [illegible] over the location of water mains on certain streets, to-wit: Park Street, Montford Avenue, Merrimon Avenue, Patton Avenue, Market and South French Broad Avenue, [illegible] and the Board took the matter under advisement to have the Water Department and the Fire Department to arrive at some settlement within the next few days.

Attorney Hal F. Curtis, representing Dr. Jennie Lucena Spalding, filed claim for damages in the sum of $10,000.00 on account of alleged personal injuries sustained by her as the result of a fall on Haywood Road on the night of October 2, 1921.

This matter, on motion, was referred to the Commissioner of Public Safety and the City Attorney for [illegible] report.

TO THE HONORABLE BOARD OF ALDERMEN, MAYOR, AND R. L. FITZPATRICK and R. J. SHERRILL, COMMISSIONERS OF THE CITY OF ASHEVILLE,

GENTLEMEN:

TAKE NOTICE, that the undersigned, (Dr) JENNIE LUCENA SPALDING, hereby claims damages in the sum of $10,000 from the City of Asheville, N. C. on account of personal injuries as a result of a fall sustained by her in the city of Asheville, N.C. on the night of October 2, 1921, while walking along and over the sidewalk in West Asheville, N. C., travelling in a westerly direction along and over the sidewalk along that portion of the city's street known as Haywood Road at a point a short distance beyond the [illegible] D. W. Wells near a store building

File No. 3
Letter C. C.

and a little West thereof on the West or [illegible] side of said street, at which place on said sidewalk an entrance over said sidewalk as a driveway [illegible] and carelessly constructed and maintained [illegible] to receive coal from the street, [illegible] City [illegible] and careless [illegible] to provide reasonably safe [illegible] lights, [illegible] sufficient number thereof, whereby [illegible] and [illegible] while [illegible] at said point, [illegible] was thrown violently to the ground and sustained [illegible] and injuries, all to her damage in the sum of $10,000.

(Dr) Jennie Lucena Spalding,

By [illegible],

Her Attorney.

The recommendations of the Fire Department for the better protection of the teachers and children in the Orange Street, Montford Avenue, Murray Hill, East Asheville, Hill Street and Ashland Avenue Schools were read to the Board, and, on motion, ordered filed.

November 7, 1921.

Mr. R. L. Fitzpatrick
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:

I desire to call the following [illegible] of the [illegible] Schools, for the better protection of the teachers, children and community.

ORANGE ST. SCHOOL- Have [illegible] on opening between boiler room and coal bin. Have [illegible] fire proof. Have [illegible] coal bin. Have [illegible] they [illegible] floors, also [illegible] in front of the building to [illegible] and [illegible].

I especially call attention to [illegible] of the [illegible]. It appears that [illegible] only two inside stairways or exit [illegible] rooms on [illegible] of the building. It is my opinion that if a fire drill could be called while the [illegible] assembled in their auditorium that there would be [illegible] confusion in getting them out, and they naturally would turn the chairs over and be scattered so that [illegible] have the building by the stairways or [illegible] by the [illegible] fire escapes.

MONTFORD SCHOOL- Have stairway [illegible] first floor to basement closed. Have brick wall built between boiler room and coal bin. Have opening in brick wall next to stairway closed, [illegible] fire door installed in [illegible]. Have ceiling [illegible] with metal [illegible]. Have basement [illegible], [illegible] old [illegible], [illegible], etc. I consider this basement the worst from a fire standpoint of any school building in the city.

MURRAY SCHOOL- Have stairway closed from first floor to basement. Have fire door installed on opening between boiler room and coal bin. Have banisters and steps on south side of building repaired. Have steps repaired at fire escape on north side of building. I am informed by the principal that these steps have been broken for several months and it is impossible for the children to enter or leave the building through [illegible] door and [illegible] be attended to at once.

WEST ASHEVILLE- Have two gongs installed, one in each of the two new rooms on the basement floor. Have lock repaired on fire exit on the east of the building. This door cannot be used in case of an emergency.

MILL ST- Have new rope or cable put on fire door in the furnace room leading to coal bin. Have the two fire doors at each end of the boiler room made self-closing or automatically closing.

ASHEVILLE A NNUE SCHOOL- Have fire wall built between boiler room and coal bin with fire door in the same. Have fire door installed in the opening to main building. Have Janitor's room made more safe if he is to continue to use it. Have new gong installed on second floor and a larger one placed on first floor and transfer the one now on first floor to Kindergarten room.

I would call your attention again to my recommendation of a year ago, recommending panic door openers on all doors used as fire exits, also the better system of electric bells [illegible]. The recommendations on these furnace rooms have been made before by Chief Wood and myself to the former administration.

Respectfully submitted,

A. L. Duckett

Chief of Fire Department.

A'D, J

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that a 100 C. P. Tungsten light be installed on North Street and on Guerrs Avenue.

On motion, the following building permits were granted:

Cora M. McNeil	4 Room House	Michigan Avenue	Estimated cost	1,500.00
Geo. Wilson	Repairs	1 and 2 Southside Ave.	" "	500.00
J. P. Smith	4 Room House	23 Warlick Street		400.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, December 1, 1921-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible] RESERVOIR PROPERTY

Attorney Sneed Adams, representing Mr. E. W. Grove, appeared before the Board and asked that a quit claim deed to a portion of the old reservoir property sold by the City to one John P. Arthur in 1890 and later purchased by Mr. Grove, be executed. Mr. Adams explained that Mayor Blanton, at the time of the sale of this property, executed a deed personally and not as an official of the City, therefore, in order to get the records straight it will be necessary that another deed be executed.

On motion, this matter was referred to the Corporation Counsel, and the Mayor and Clerk were authorized, on the approval of the Corporation Counsel, to [illegible] the deed requested.

ATTORNEY WHITSON)
[illegible]) [illegible] PEARSON DRIVE

Attorney Whitson, representing himself, Mr. R. H. Morris and Mr. W. H. Westall, appeared before the Board and asked that the City construct a sewer about 400 feet on Rosewood Avenue in the vicinity of Pearson Drive, through certain property recently opened by the above mentioned gentlemen; Mr. Whitson agreed to pay for the cost of the sewer on its completion provided the City would do the work under the direction of the City Engineer.

The proposition of Mr. Whitson was accepted and it was ordered, on motion, that the City Engineer submit a detailed map or plat showing the proposed sewer line with an estimate of the cost of said line.

R. P. HAYES, [illegible]

The request of Mr. R. P. Hayes that the grade on Dorchester [illegible] established by the City Engineer and that the street be graded from [illegible] Street to Judge Murphy's property was, on motion, referred to the Superintendent of Public Works for investigation and report.

[illegible]

An ordinance prohibiting the making, repeating, circulating or transmitting of any false statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference derogatory to the reputation or good name of the pupils of the public schools within the City [illegible] or class, or society, or individual pupil as a member thereof, was presented to the Board and, on motion, passed on its first reading.

[illegible]

On motion, the following building permits were granted:

Mrs. R. J. Dempsey	5 room House	Houston Street	Estimated cost	[illegible]
Thos C. Rickman	Repairs	11 Blake St.	" "	[illegible]
E. L. Nevercel	Recover House	5 Kenilworth Rd.	" "	[illegible]
T. T. Rogers	3 room House	372 Broadway	" "	[illegible]
A. B. Rich	5 room House	23 Nevada Ave.	" "	[illegible]

On motion, adjourned.

[illegible] Secretary-Treasurer.

Friday, December 2, 1921-- 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

Attorneys Zeb F. Curtis, Mark Brown and Haywood Parker, representing the Parent-Teachers Association of the city, appeared before the Board and asked that the Board take immediate action looking toward the carrying out of the recommendations of the Chief of the Fire Department in the city schools.

These gentlemen were informed that this matter [illegible] action.

[illegible]

An ordinance prohibiting the making, repeating, circulating or transmitting of any false statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference derogatory to the reputation or good name of the pupils of the public schools within the City of Asheville was presented to the Board and, on motion, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and being for the immediate preservation of the peace and safety of the citizens of Asheville, was declared [illegible] to take effect immediately upon its passage and publication in said City.

ORDINANCE PROHIBITING THE CIRCULATING OF FALSE STATEMENTS DEROGATORY TO THE REPUTATION OF THE PUBLIC OF THE PUBLIC SCHOOLS.

WHEREAS, it is the opinion of the Board of Commissioners of the City of Asheville that an ordinance of said City should be passed with a view of punishing all persons guilty of uttering, publishing, or otherwise circulating false and slanderous reports derogatory to the character or reputation of any [illegible] public schools of said City:

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Asheville:

Section 1. That any person who shall make, repeat, circulate or transmit to another any false statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference derogatory to the reputation or good name of the pupils of the public schools within the City of Asheville, or class, or society, or individual pupil as a member thereof, of any public school in said city, or who shall counsel, aid, procure or induce another to start, transmit or circulate any such statement, or rumor, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a penalty of fifty Dollars for each and every such offense.

Section 2. That this ordinance being for the immediate preservation of the well... and welfare of the citizens of Asheville, it is declared an emergency ordinance, and shall become of full force and effect from and after its passage and publication in a newspaper published in the City of Asheville.

...the foregoing ordinance, this the ... December, 1921.

Gallatin Roberts
Commissioner.

Approved as to form:

City Counsel.

City Counsel.

The request of Mr. Newton M. Anderson, Head Master of the Asheville School, for permission to extend the city's water line to the Asheville School for the purpose of supplementing said school's supply of water, was presented to the Board, and, on motion, referred to the Commissioner of Public Works for investigation and report.

(Copy of Letter)

December 1, 1921

Mayor Gallatin Roberts,
Asheville,
North Carolina.

My dear Mr. Roberts:

Explaining my telephone conversation with you this morning, I would say that I stated that we had outgrown our water supply here, and I wanted to obtain some water from the city. The city water is now within one mile of the School, and I shall be glad to run a pipe to the School building. I will say, first that our end of the pipe will be higher than any part of Horney Heights; therefore, our use of the water would not in any way interfere with the use of the water by the people along the present pipe line. I would be willing to make an arrangement with the people this side of Horney Heights who have been appealing to you for water, to give them proper connections. All I need at the School is a simply supplementary to that of our own resources. I think the total would not exceed 15,000 to 20,000 gallons a day at any time. The pipe I should instal would be a two inch galvanized pipe.

Very truly yours,

Newton M. Anderson.

NMA.ER

...ASIDE--STREET LIGHT

The application for a street light at the intersection of Hillside and Clyde Street, was, on motion, referred to the Commissioner of Public Works for investigation and report.

...

Reports from the Street, Street Cleaning, Health and Incinerator Departments, Public Health Nursing Association, City Plumber, Sealer of Weights and Measures, Electrical Inspector, Plumbing Inspector, Building Inspector, Commissioner of Public Safety and the Chief of the Fire Department were read and, on motion, ordered filed.

...

On motion, the following building permits were granted:

C. Walter Williams	2 room house	79 Jack Street	Estimated cost	$ 420.00
C. W. Hyde	...W Shed	218 Hazel Park	" "	40.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, December 3, ...-- ..., N. C.

The Board of Commissioners met in regular session, Mayor ... presiding. Mayor ... present. ... Commissioners ... and ... were present.

...

The request of Mr. C. C. Willis, addressed to Gallatin Roberts, Mayor, asking that the bond of T. P. Quackenbush, a public chafer, be cancelled, was presented to the Board.

In this connection, the Clerk reported that there was no bond for T. P. Quackenbush, however, there was a bond for M. F. Quackenbush.

It appeared on information furnished by the Commissioner of Public Safety and a news item in this morning's paper that one M. F. Quackenbush was under indictment for transporting whiskey, being required to give a $ ... bond, the Board declined to take any action whatever on Mr. Willis' request.

(Copy of Mr. Willis' Letter)

Dec. 1, 1921

Mr. Gallatin Roberts, Mayor
City of Asheville, N. C.

Dear Sir:

Kindly cancel the bond of T. P. Quackenbush a public chafer. This bond signed by me.

Respectfully,
C. C. Willis.

(Copy of news item appearing in Asheville Citizen, Dec. 3, 1921)

Man is Arrested on Liquor Charge

Melvin Bruce Released Under $1,000 Bond--Arrest Follows That of Quackenbush.

Melvin Bruce was arrested yesterday by members of the ... department on whiskey charges, and released under bond of $1,000 which he put up in cash.

Officers state Bruce was in the car with M. F. Quackenbush when stopped Thursday on the Hendersonville road, on suspicion of having whiskey cargo. Bruce, they assert, jumped from the car and escaped. Three and a half gallons of corn liquor was reported found, and Quackenbush placed under $1000.00 bond.

Both men will face preliminary hearing before Magistrate W. A. Creasman at 2:30 o'clock, December 10.

MISS CARRIE WAGNER--LETTER FROM SCHOOL TEACHERS

The request of Miss Carrie Wagner, requesting that the overtime paid teachers be paid for each teaching day, including holidays, was, on motion, referred to Superintendent Brooker for investigation and report.

(Copy of Miss Wagner's letter)

To the City Commissioners.

I have spoken to you about the double session work and am sure you are considering my request. But I want to explain in detail so you will fully understand.

We teach double session, and receive one dollar & half per day for over time work. We are paid by the calendar month. This month there were twenty two teaching days, which would give us thirty three dollars. We had three holidays, taking off $4.50. In October I had to miss a week, three teaching days, & lost $4.50. In September we had a circus holiday--And the first two days of school we were asked to stay only half day so lost $4.50. In all I have lost $13.50- It is a small thing for the city to consider but quite an item when taken off a teacher's salary each month. We teach two full grades, saving the city an extra teachers pay. We want the $1.50 for each teaching day, including holidays. And also the same sick leave we have on our regular salary.

The children do not loose any thing by the half days. The work is made up to them. And they are doing excellent work. No primary child in the city has over three hours instruction daily. Every class is divided into three hour periods. So the double session teachers are giving each class as much work as any grade in primary received but it is much harder for we have from 30 to 40 in each class.

Appreciate your interest.

Cordially-
Carrie Wagner.

Richards

[illegible] Street was, on motion, referred to [illegible].

[illegible] Chief of Police and Director of Public Safety [illegible] was read to the Board, and, on motion, ordered filed [illegible] activities by him for the week ending December 3rd, 1921.

[illegible] Director of Public Safety, it was ordered that all [illegible] Secretary-Treasurer be turned over to the [illegible] fund to the poor of the city.

On motion, the following building permits were granted:

[illegible]	[illegible]	Laufty Street	Estimated cost	[illegible]
[illegible]	[illegible] Flats	Patton Ave.	" "	1,500.00
[illegible]	[illegible]	[illegible] Pearson Pl.	" "	200.00
[illegible]	Repairs	[illegible] Road	" "	150.00
[illegible]	2 Rage	[illegible] Worth [illegible].	" "	50.00
[illegible]	3 Rms.	[illegible] West Street	" "	100.00

[illegible], adjourned.

Secretary-Treasurer.

Monday, December 5, 1921-- 11 o'clock,A.M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on vacation. The minutes of the previous meeting were read and approved.

On motion, a license gratis to run a shoe shop was granted to one Wm. [illegible].

On motion, the following building permits were granted:

F. V. Gardner	5 room House	15 Louisiana Ave.	Estimated cost	$ 2,500.00
[illegible] W. Noland	Garage	73 Church Street	" "	300.00

[illegible], adjourned.

Secretary-Treasurer.

Tuesday, [illegible], A.D.

[illegible] previous meeting [illegible].

A petition representing the Woodfield Manor School [illegible] Association, Mrs. [illegible], was read, requesting [illegible] of the Chief of [illegible] hazards in the [illegible] Cole, particularly Montford Avenue [illegible].

Messrs. W. J. McDowell and T. W. Young, representing [illegible] were before the Board and stated that Chief of Police's recommendation [illegible] out. They also called attention to the fact that [illegible] are selling [illegible], and asked that [illegible] prohibiting this [illegible] enforced.

The [illegible] with the Chief of Police [illegible] the fire limits [illegible], Mr. [illegible], Inspector of Public Works, [illegible] the Chief of Police [illegible] selling of [illegible] in Asheville, [illegible] referred to the Chief of Police [illegible].

Attorney Sherrill, representing Mr. Reuter [illegible] stated that the [illegible] Mr. [illegible] and that [illegible] between [illegible] and that [illegible] in the matter.

Mr. [illegible] the [illegible] the climate [illegible].

A petition, signed by [illegible] on Beaver Street, [illegible] that the City accept, open and establish the grade of that street and [illegible] water meter [illegible] the presence of Mr. [illegible] to the Board, [illegible], the Clerk [illegible] Mrs. Smith to [illegible] of the [illegible] meter [illegible] Department.

West Asheville, N. C.
Dec. 5, 1921.

To the Commissioners of the City of Asheville--
Gentlemen--

We the undersigned property owners of Dillard St., respectfully petition you to accept, open [illegible] street; we also ask [illegible] connect with the [illegible] Mrs. Jane T. W. Smith [illegible].

As [illegible], it [illegible] to put the [illegible] this street.

The [illegible] Mrs. Smith [illegible] court [illegible] Dillard St. [illegible], and she has been [illegible] by [illegible] to this home to [illegible] dependent [illegible].

Mrs. T. W. Smith
[illegible]
[illegible] T. [illegible]
[illegible]
[illegible] W. Smith Agt for
Trustees C. A. Pratt &
[illegible] J. Tillotts

Beaver Street [illegible].

The report of the City Engineer showing total and pro rata cost to the property owners of a 6 inch pipe sewer on Beaver Street was presented to the Board, and, on motion, ordered advertised in accordance with the [illegible] provided.

On motion, [illegible] granted:

[illegible]	[illegible]	[illegible]	Estimated cost	100.00
[illegible]	[illegible]	[illegible]	" "	[illegible]
[illegible]	[illegible]	[illegible] Asheville	" "	20.00
[illegible]	[illegible]	[illegible] Wilkie Street	" "	30.00
[illegible]	[illegible]	[illegible]	" "	200.00

On motion, [illegible].

Secretary-Treasurer.

Wednesday, December 7, 1921-- 10 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on vacation. The minutes of the previous meeting were read and approved.

Attorney W. P. Brown, representing Mr. J. M. Burton the purchaser of the buildings on the proposed extension of Market Street, appeared before the Board and stated that the former occupants of the Creamery building, under advice of their attorney, Mark Brown, had removed the toilet fixtures from the building and asked that the Board take some action in the matter.

Mr. Wells was assured that the matter would be investigated immediately.

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that a 100 C.P.Tungsten light be installed near the top of the hill on [illegible] Street, a 100 C. P. Tungsten light on Dorchester Street and a 100 C. P. Tungsten light on Clyde Street and Hillside Street.

The Commissioner of Public Works reported that he had investigated the request of Mr. Winston S. Anderson, Headmaster of the Asheville School, for permission to extend the city's water line in order to supply said school with water and would recommend that the request of Mr. Anderson be respectfully refused for the reason that the Board has previously gone on record as being opposed to further extensions of the [illegible] with water [illegible] generally confirmed.

[illegible] the Commissioner of Public [illegible].

A [illegible] from Mr. H. H. Franklin, requesting the construction of a [illegible] to the [illegible].

[illegible].

[illegible] petition for Sewer Water and Paving of [illegible] stating the City Engineer [illegible] and majority of [illegible] front.

[illegible] and lots on the west [illegible] the spring has [illegible] and the improvements will [illegible].

[illegible] for the information that I may guide my client [illegible].

Very truly yours,

Henry F. Claudius
Consulting Architect
30 Barton Ave.

Dec. 6, 1921.

On motion, the following permits were granted:

W. McCance	[illegible]	[illegible] Ave.	Estimated cost	$ 3,300.00
D. Garland & J. C. Penland	[illegible]	Virginia Ave.	" "	1,400.00
Rock Square Realty Co.	Dwellings	S. W. Rock Sq.	" "	2000.00
V. Lanning	[illegible]	[illegible] Third Ave.	" "	2,000.00

On motion, adjourned.

Secretary-Treasurer.

[illegible] Tuesday, [illegible]

[illegible] meeting.

[illegible] Attorney [illegible] Mr. [illegible] prohibiting the [illegible] in the [illegible] park in front of [illegible].

[illegible]

Report from [illegible], [illegible] rents, Public [illegible] Measures, Building [illegible] Ave.

On motion, [illegible] permits were granted:

Albert Hirschin	[illegible]	[illegible]	"	"
E. F. Dixon	Garage	60 Depot Street	"	"
T. D. McCall	Garage	97 Cherry Street	"	"
T. D. Johnston Est.	Store Front	[illegible]	"	"
H. S. Howell	[illegible]	[illegible]	"	"

On motion, [illegible].

[illegible]

[illegible] meeting. The [illegible]

[illegible]

Mr. [illegible] stated that [illegible] bridge [illegible] Hill [illegible] a [illegible] in regard to this [illegible].

The Commissioner of Public Works [illegible] with the City Engineer [illegible] surveyed and that [illegible] would undoubtedly announce its decision in regard the matter in the near future.

[illegible]

This being the [illegible], as [illegible] to be recorded [illegible] of the corner of [illegible] and Rood all [illegible] and road:

File No. 4
Letters Co. Bd.

Miss Hatte		0.00	For corner house	
A. A. [illegible]		175.00	For three-fourteen	
[illegible]		[illegible]	" " "	
[illegible]		150.00	" " "	
[illegible]		200.00	" " "	
[illegible]		[illegible].00	" " "	
[illegible]		175.00	" " "	

[illegible] ...nt.

[illegible] ...the request of one J. A. O'Neal for a refund of the special license tax paid by him for the year 1926, on account of the City tax [illegible] ...e more than two months after the ...t. [illegible] ...ed.

O...r: That the ...quest of J. A. O'Neal for a refund of the special license tax paid by him for the year 1926, on account of the City tax [illegible] ...e more than two months after the ...t. [illegible] ...ed.

J. A. O'Neal,
...

The request of one J. M. Capps for a refund of the special license tax paid by him to operate a public service automobile in the city, was also, on motion, [illegible] ...

O... ..., ...

their intention to
Commissioners unanimously, both
that such was not their
vote for the selection of an
referred was defective.

"former" in the resolution offered by
Mr. [illegible] (Mr. Wright) that nothing further contracts until
members in open session, stating that
of the Catholic Hill school building
that Mr. Sherrill had made the
motion, [illegible] the Secretary & Treasurer be instructed to
advertise [illegible] according to the plans and

Mayor Thomas and Commissioner Sherrill and Commissioner
[illegible] the reconsideration of the resolution confirming the
[illegible] Mr. [illegible], Chairman, the Clerk stated that he was will-
[illegible] proceedings of the Board
[illegible] session.

Mayor Thomas' motion, having failed to receive a second, no action
was taken.

30
Ins

[illegible] in the Mayor's office, Decembe
[illegible].

[illegible] Board of
[illegible] Mayor's office, all members
present, [illegible].

[illegible], seconded by Mr. W. Vance Brown, [illegible] the Board to
[illegible] the Lynch property for
[illegible].

[illegible], seconded by Mr. R. H. McDuffie, and unanimous
[illegible], that the Lynch property provided it can be bought
[illegible] negotiations looking to
[illegible] at our mee.

A motion by Mr. R. H. McDuffie, seconded by Mrs. Curtis Lyman, that Architect
[illegible] motion by Commissioner
[illegible], that Architect Hunt be given
[illegible], however, said motion came not to a
vote.

[illegible] motion of Mr. W. Vance Brown, seconded by Mr. W. M. Smathers,
[illegible] vote by ballot for
[illegible] the job, namely the North Asheville
[illegible] vote was adopted, and the Clerk
[illegible].

[illegible] vote
[illegible] 7 votes
[illegible] votes
[illegible].

On motion of Mr. R. H. McDuffie, seconded by Mr. W. M. Smathers and duly
[illegible], that Architect Hunt be given the contract for the architect-
[illegible] North Asheville school building,
[illegible] not exceeding $110,000 and
[illegible] per cent commission for his services.

Voting aye: [illegible] R. H. McDuffie, Mr. W. M. Smathers
[illegible] Mayor Thomas Roberts.

Voting no: [illegible], Commissioners R. J. Sherrill and R. L.
Flowers [illegible].

[illegible] motion, seconded by Mr. R. H. McDuffie, and duly
[illegible] that Architect Hunt be given the contract for the architect-
[illegible] however, [illegible] the Newton Academy school building,
[illegible] not to exceed $100,000 and that
[illegible] not to exceed 2½ per cent of his services.

Voting no: [illegible] R. J. Sherrill.

On motion of Mr. W. M. Smathers, seconded by Mr. W. V. Smathers, it was ordered
[illegible] Sherrill be given the contract for the erection of the Catholic Hill school building
[illegible] of December, [illegible] Mr. R. H. McDuffie, seconded by Mr. W. Vance
Brown, [illegible] for changing the [illegible] required to furnish the necessary asbestos
fire proof [illegible] the corridors
[illegible] to furnish alternate bids on the
[illegible] to provide fire proof corridors.

A motion [illegible], seconded by [illegible], P. H.
[illegible], September 3, [illegible],

"It was [illegible]
[illegible] the School
[illegible] Commissioners in the
[illegible] of the engineer
[illegible] questions in connection
[illegible] Board of Commissioners [illegible]".

[illegible].

On motion, [illegible] permit
[illegible], December [illegible] 2, [illegible]

On motion, [illegible].

[illegible] Mayor Thomas.

The Board [illegible] Mayor [illegible], Mayor Pro Tem [illegible]
[illegible] the electric [illegible].

[illegible]

On motion, [illegible] the [illegible]
A. L. Bennett for $32.[illegible], [illegible] for [illegible]
in regard to fire proof [illegible].

[illegible]

On motion, the following [illegible]:

A. A. Finley	Stable	[illegible]	"	"	[illegible]
Mrs. McRee	[illegible]	[illegible]	"	"	[illegible]
H. Stafford	[illegible]	[illegible]	"	"	[illegible]
W.H.Huykendale	Store Room	20 [illegible] Avenue	"	"	[illegible]

On motion, [illegible].

[illegible] Mayor Thomas.

[illegible], December 15 [illegible]

The Board of Commissioners met in regular session, Mayor Thomas presiding, [illegible]
minutes of the previous [illegible] were read and approved.

[illegible]

On the recommendation of Commissioner Sherrill, it was
[illegible] the City Engineer [illegible] over the branch just [illegible]
between Haywood Road and the Southern Railway, [illegible] and W. Morris
[illegible] and install the [illegible] for said [illegible].

Mr. R. J. Sherrill,
Asheville, N. C.

Dear Sir:

Some [illegible] We have gone over the ground in West Asheville
where storm sewer [illegible] to be laid and our work [illegible]
for rest of this year.

We will [illegible] to have the said [illegible]
[illegible] may make to carry [illegible].

We will be glad [illegible] to have the said [illegible]
the side of ditch and [illegible] you are ready to lay it.

We are [illegible] matter.

Thanking you [illegible] we are,

Yours truly,
GILBERT H. MORRIS.

Secretary-Treasurer.

Friday, December 16, 1921--11 o'clock A.M.

Commissioner [illegible] in regular session, Mayor Roberts presiding, [illegible] present.

Attorney Powell, [illegible] Mr. C. Plomberg, appeared before the Board [illegible] that [illegible] petitioned to install a show window in [illegible] Square.

After [illegible] Mr. Plomberg [illegible] Commissioner of the City Planning Commission.

On motion, it was [illegible] the Air Pressure Signalling Apparatus be [illegible] for the use of the new fire station now under construction on Bartlett St.

On motion, it was [illegible] the T.E. Pay be granted an exemption of $14.00 [illegible] Fairfield Street [illegible] Sewerage on account of the extension of [illegible].

Reports from the Nurses, Dorcas Canning, Health, Public Nursing Association, [illegible] Mr. Owen, Electrical Inspector, Plumbing Inspector, Building Inspector and Dog Catcher were read, and on motion, ordered filed.

File No. 1
Standing Letters

Secretary-Treasurer.

Monday, [illegible], 1921-- 1 [illegible].

The [illegible] in regular session, [illegible].

[illegible]

A communication [illegible] Public Library [illegible] Library [illegible].

[illegible]

This being [illegible] Fire Chief [illegible]:

[illegible]

32 ¢

[illegible]

34 ¢
[illegible] ¢
1.[illegible]

[illegible]

47½¢
1.00

[illegible]

34 ¢

[illegible]

35 ¢
45 ¢
1.[illegible]

[illegible] Lang ford [illegible]

[illegible]

L. A. O'Neal.

[illegible] with concrete [illegible]

[illegible]

Total [illegible]

[illegible]

[illegible] 426 40

[illegible]

[illegible] ted:

[illegible] cost $ 2.5[illegible]

Secretary-Treasurer.

[illegible]

The [illegible]

[illegible]

[illegible]

[illegible] Mayor [illegible] Mr. Reed, [illegible] convict [illegible] that Mr. [illegible] been completed [illegible] convicts [illegible]

The [illegible] Public Works [illegible] Mr. Reed [illegible] the [illegible] the Board's order.

Notice [illegible] the Board [illegible] citizens [illegible] the Board's resolution and ordinance be [illegible].

[illegible]

On motion, [illegible] that [illegible] L. A. O'Neal [illegible] public [illegible].

This action [illegible] Mr. O'Neal' [illegible] business due to the [illegible] later claimed by other parties, [illegible].

[illegible]

The Mayor [illegible] this [illegible] for the [illegible] to [illegible] Architect Greene [illegible] the Board [illegible]:

"That [illegible] from the [illegible] sals [illegible]".

No action [illegible] Mr. Greene' [illegible] proceed with the [illegible] of bids. [illegible] read to the Board:

Heating and Ventilating

The American Heating & Ventilating Co.
[illegible]

Proposal
[illegible] Proposals [illegible]

1. Should The Temperature [illegible] Regulation be [illegible] for The [illegible] Regulation-- [illegible] grees [illegible] $[illegible]37. from the proposed sum.

2. [illegible] Central Contractor [illegible] Mason[illegible] work [illegible] bars [illegible] the proposed [illegible].

3. [illegible] Force Draft [illegible] of $[illegible] from the proposed sum.

Memorial Furnace Company, Atlanta Ga.

Proposal
[illegible] proposals. [illegible]

[illegible] Meeting Friday, March [illegible], 1920

[illegible] $[illegible]

[illegible] stated
[illegible] from the proposed
sum.

[illegible]

[illegible]-Concrete Company, Atlanta, Ga.

[illegible] $136,620.

Alternative Proposals:

[illegible] substituted for Brick,
[illegible] of $1,900 from the proposed

[illegible] substituted for
, contractor agrees to deduct the sum of $1,000 from the
proposed sum.

3. Should concrete lintels be substituted for steel
, contractor agrees to deduct the sum of $[illegible] from the
proposed sum.

4. Should Crane's Empedic Wall Hanging Closets be substituted for #0 Vogel Closets, contractor agrees to add the sum of $[illegible].00 to the proposed sum.

[illegible] reinforced concrete, cement finished,
[illegible] stituted for wood corridor, contractor agrees to
[illegible].00 to the proposed sum.

[illegible]

[illegible]

$92,200.

Alternative Proposals:

1. Should Slate Blackboard be substituted for
[illegible], contractor agrees to add the sum of $1,000 to the
proposed sum.

2. [illegible] and be fire proof, contractor
[illegible] of $[illegible].00 to the proposed sum.

[illegible]

$ 89,700.

Alternative Proposals:

1. [illegible] Tile and concrete corridors be substituted for
[illegible], owner agrees to add the sum of $6,700 to the
proposed sum.

2. [illegible] substituted for wood corridor
[illegible] proposed sum.

3. Should corrugated tile on roof be substituted for slate
[illegible] agrees to deduct the sum of $550.00 from the proposed sum.

[illegible]

$[illegible] 118,673

[illegible])

Dec. [illegible], 1921.

[illegible]rs,
[illegible].

[illegible]:

I [illegible] bid for the erection
[illegible], to be according to the plans
[illegible] I propose to put in the brick corridor
[illegible], and a reinforced
[illegible] for the sum of One Hundred and
[illegible] Thousand, Six Hundred Seventy-three Dollars $118,673.00
[illegible] bids 13)

[illegible],

[illegible] Amt.

[illegible].00

[illegible] Board and the [illegible] Commissioners [illegible] for [illegible], [illegible]
A. V. in the Mayor's office.

On motion, the following [illegible] were passed:

Episcopal Church	[illegible]	Church & Willow Sts.	[illegible]	[illegible]	$[illegible]
Chas E. Brown	[illegible]	[illegible] Ave. & W. [illegible] Asst. Sup.	"	"	1,[illegible]
S.H. and H. L. Spitzenship	[illegible]	Elmer & Asheville Ave	"	"	3,400.00
Asheville Power & Light Co.	Shed	Avery Street	"	"	600.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, December 21, 1921--11 o'clock

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

ROAD FROM HAYWOOD ROAD TO MURPHY RAILROAD--REPAIRS

A petition requesting that the road leading off of Haywood Road this side of Dill's Rest through the Johnston woods to the Murphy railroad be repaired was presented to the Board and, on motion, ordered filed:

(Copy of petition)

Asheville, N.C. 11-23 1921

To The Hon. Board of City Commissioner,

We the undersigned petitioners respectfully request the Haywood Road this Side of "Dills Rest" leading through "Johnston's Woods" to the Murphy Railroad, as it is almost impassible on account of recent heavy rains this road leads to Johnson's School house.

Please give this your immediate attention,

Respectfully,

Petitioners,

Con L. Sumner
R. V. Self
Geo. L. Self
H. N. Randall
H. N. Hawkins
F. F. Duckett
A. J. Welch
J. P. Walsh
Rud Hawkins
G. G. Wilson
H. M. Lunsford
W. L. Lunsford
S. H. Marshall
W. S. Martin
F. O. Parham
R. T. Crook
J. Floyd Brown

[illegible]

On motion, the following building permit was granted:

Fred Thomas	4 room House	Butterick & Hill St	Estimated cost	$ 1,000.00

On motion, adjourned

Secretary-Treasurer.

Thursday, December 22, 1921-- 11 o'clock.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

On motion, one J. W. Wheeler, an old Confederate veteran, was granted a license gratis to conduct a meat market at 596 Haywood Road, West Asheville.

The request of C. C. Willis, surety on the bond of one G. B. Pressley, that the said bond be cancelled was presented to the Board, and, on motion, referred to the Commissioner of Public Safety for investigation and report.

Dec. 21, 1921

Mr. F. L. Conder, Sec.Treas
City of Asheville, N.C.

Dear Sir:

Kindly cancel chafer bond of G. B. Presley. I signed this bond as surity.

Respectfully
C. C. Willis.

MR. HUGILL, WOODLAWN AVENUE WATER LINE

The request of one Mr. Hugill for a water line to be extended from the Murphy place down Woodlawn Avenue about 630 feet was, on motion, referred to the Commissioner of Public Work for investigation and report.

On motion, the following building permit was granted:

V. V. Haynie Store House 156 Broadway Estimated cost $ 3,000.00

On motion, adjourned.

Secretary-Treasurer.

Friday, December 23, 1921--11 o'clock.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business, The minutes of the previous meeting were read and approved.

On motion, it was ordered that in honor of Judge J. H. Merrimon, whose funeral is to be conducted tomorrow at 11:30 o'clock, A. M., the meeting of the Board on December 24th be omitted and the members of the Board attend the funeral of Judge Merrimon.

On motion, it was ordered that all employees of the City, with the exception of the employees of the Police and Fire Departments, be granted a holiday on Monday, December 26th and there be no meeting of the Board on that day.

On motion, the following building permits were granted:

J. H. Allport	8 rm. House	St.Dunstans Circle	Estimated cost	$ 10,000.
E. M. Freck	6 rm House	Murdock Avenue	" "	3,000.
H. H. Nabor	5 rm House & Sleeping Porch	Arlington &Charlotte	" "	6,500.
J. B. Franklin	Electric Sign	19 Broadway	" "	25.

On motion, adjourned.

Secretary-Treasurer.

Tuesday, December 27, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

PUBLIC STREETS--RE-NAMING

Mr. H. C. Allen appeared before the Board and called attention to the advisability of re-naming certain of the public street of the city; some forty of the streets, according to Mr. Allen's statement, bearing duplicate or similar names.

This matter, on motion, referred to the Planning Commission.

BILTMORE AVENUE)
BROADWAY)

Mr. Allen also stated for the information of the Board that he expected to bring a petition,within the next few days,requesting that the name of Boardway and Biltmore Avenue be changed.

ASHEVILLE TEL[illegible]

Mr. Allen called attention to the fact that some twelve years or more ago, while he was a member of the Board of Aldermen, a merger of the Southern Bell Telephone and Telegraph Company and the Asheville Telephone and Telegraph Company came up and a new franchise was granted the Southern Bell Telephone and Telegraph Company in which a provision was inserted to the effect that said company would agree, without charge, to adopt and install all approved methods and devices.

In this connection Mr. Allen stated that a great deal of difficulty was experienced in making the Southern Bell Telephone & Telegraph Company adopt the desk telephone, they originally charging twenty-five cents for changing the old wall telephone to a desk telephone, but the matter was taken up by one of the civic organizations of the city and the telephone company was forced to live up to its agreement and make the changes free of charge.

Mr. Allen stated that the present service of the telephone company is recognized as not altogether satisfactory and that a number of exchanges, for instance, the exchange in Dallas, Texas, Richmond, Va., and Columbia, S. C., have installed an automatic system operated by the use of a dial with which the party using the telephone can get the number desired without depending on the central operator.

Mr. Allen asked that the Board consider this matter and use such means as are necessary to induce the Southern Bell Telephone and Telegraph Company to install such a system in Asheville.

This matter, on motion, taken under advisement.

DORTCH AVENUE)
VIVIAN AVENUE) REQUEST FOR LIGHTS

A communication, signed by Mr. Henry F. Claudius, requesting the installation of a street light at the corner of Dortch Avenue and East Street and at the turn of the road on Vivian Avenue was, on motion, referred to the Commissioner of Public Works.

Hon. Mayor and Board of Com.
Asheville, N. C.

Gentlemen:- It has come to my notice lately in the newspapers that you are again placing street lights.

Since that is the case would like to call your attention to the request and petition filed with you for a light at the corner of Dortch Ave. and East Street and at the turn of the Road on Vivian Ave. at the fifth house on that Street. Both of these are black places where they are needed at night.

Respectfully yours,

Dec. 15, 1921

Henry F. Claudius
40 Dortch Ave.

On motion, adjourned.

Secretary-Treasurer.

Wednesday, December 28, 1921-- 11 o'clock.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on account of illness. The minutes of the previous meeting were read and approved.

A resolution expressing regret at the death of ex-governor Thomas Walter Bickett and extending the sympathy of the Board to his widow and son was, on motion, duly seconded, unanimously adopted.

RESOLUTION EXPRESSING REGRET AT THE DEATH
OF THE HONORABLE THOMAS WALTER BICKETT,
EX-GOVERNOR OF THE STATE OF NORTH CAROLINA.

WHEREAS, the Board of Commissioners of the City of Asheville has heard with most profound sorrow of the death today of the Honorable Thomas Walter Bickett, ex-governor of the State of North Carolina; and

WHEREAS, the deceased, the Honorable Thomas Walter Bickett, rendered distinguished service to his state and to his country; and

WHEREAS, it is now the desire of this Board to show its respect to the memory of the deceased and its deep appreciation of his services; therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That in the death of the Honorable Thomas Walter Bickett, the State of North Carolina has lost one of its most valuable and public spirited citizens-- an Up-right, Honest, Christian, Patriotic Gentleman, a man in whom all who knew him had the utmost confidence, and one who not only served his state and country with great distinction, but with a self sacrificing spirit of unselfishness and loyalty which will ever endear his memory in the hearts of his people.

Section 2. That the Board of Commissioners of the City of Asheville hereby expresses its deep appreciation of his services and tenders its heartfelt sympathy to his widow and son.

Section 3. That a copy of this resolution be spread upon the minutes of this Board, a copy furnished the daily press, and a copy mailed to the widow of the deceased.

Section 4. That this resolution shall be in force from and after its adoption.

Unanimously adopted this the 28th day of December, A. D., 1921.

Gallatin Roberts
Mayor

F. J. Sherrill
Commissioner of Public Works

F. L. Fitzpatrick
Commissioner of Public Safety.

Attest:

F. L. Conder
Secretary-Treasurer

One Lewis W. Hale, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, adjourned.

Secretary-Treasurer.

Thursday, December 29, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

[illegible]

Attorney Guy Weaver, representing Mr. W. Floyd Byrum, appeared before the Board and requested a refund of $[illegible], the amount alleged to have been paid by his client in account of a sewer constructed in Westwood Place and charged against the property of Mrs. Thomas Reynolds.

Mr. Weaver explained that the sewer in question was found, after his client had paid the assessments, to be encroached against another lot entirely and not against the lot purchased by his client.

This matter, on motion, taken under advisement.

[illegible]

Mr. Frank Hill appeared before the Board and stated that he had contracted negotiate to purchase the business of Mr. Baker in the Market provided he can get a release from the city covering the stall recently rented by him.

In this connection, Mr. Hill explained the firm of Kibler & Whitaker were willing to take over this stall which he originally rented and pay him for the improvements therein.

Commissioner Fitzpatrick called attention to the ordinance prohibiting the leasing of more than one stall by any one party in the City Market House, and stated that the only way Mr. Hill's request could be complied with would be to amend this ordinance and that personally, he was opposed to such action as, in his opinion, more stalls and more competition are needed.

Attorney Burgin Pennell stated that he had been unable to find that a map or plan had ever been adopted by the authorities of the city designating the stalls in the Market House and suggested that such a plan or map be gotten up and adopted by the Board in order that every one could be advised as to just exactly what constitutes a stall.

This matter, on motion, taken under advisement.

[illegible]

On motion, the following refunds of water rents were allowed:

S. Livinsky	176	Cumberland Ave.	Rebate $0.27
C. G. King	16	Eloise St.	" 1.00
W. J. Cocke	149	S. F. Broad Ave.	" 3.22
Dr. R. J. Bateman		Norwood Park	" 3.61
Chas. Byrd	74	Edwin Place	" 4.16
E. V. Ferrell	4	Evergreen Land	" 3.60
Miss Elizabeth Bernard	134	Furman Ave.	" 2.30
H. T. Dillingham	80	Vance Street	" 1.17
Gaston Meares		Atkin Street	" 4.14
W. W. Rollins	209	Chestnut Street	" 1.17
J. O. Whitted	6181	Biltmore Ave.	" 2.38
Nora Grant	114	Bartlett Street	" 1.72
Grover Ledbetter	6385	Ralph Street	" 12.74
Chas. Finney	174	Park Avenue	" 6.36
Manda Nox	99	South Grove Street	" 2.76
W. R. Messer	174	Ashland Avenue	" 1.40
H. G. Sherrell	48	Gudger Street	" 1.74
J. J. Barrett	22	Phillip Street	" .33
B. F. Williams	45	Clayton Street	" 4.30
F. M. Culvern	6133	Grace	" 2.22
Dr. J. M. Parker	67	Edgemont R. D.	" 1.80
C. W. Chanley	6020	Logan Park	" 2.05
John Lowrey	33	Shady Grove	" 2.01
H. M. Mathews	206	Merrimon Avenue	" 2.05
W. C. Ray	36	Merrimon Avenue	" 2.10
Mrs. F. A. Patterson	96	Highland Street	" 2.60
W. Y. Frayer	35	Grove Street	" 1.94
J. O. Whitted	56	Ralph Street	" 9.43
Luke Gaither	104	Livingston Street	" .33
Roy Rodgers	3037	Woolsey	" 6.60
W. S. Lee	167	College Street	" 2.53
Jessie Burnett	78½	Eagle Street	" 5.47
Geo. Dizer	20	Curve Street	" 1.11
H. Schaas	265	Valley Street	" 5.36
C. W. Lyles	16	Max Street	" 2.72

Wednesday, December 28, 1921-- 11 o'clock.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on account of illness. The minutes of the previous meeting were read and approved.

A resolution expressing regret at the death of ex-governor Thomas Walter Bickett and extending the sympathy of the Board to his widow and son was, on motion, duly seconded, unanimously adopted.

RESOLUTION EXPRESSING REGRET AT THE DEATH
OF THE HONORABLE THOMAS WALTER BICKETT,
EX-GOVERNOR OF THE STATE OF NORTH CAROLINA.

WHEREAS, the Board of Commissioners of the City of Asheville has heard with most profound sorrow of the death today of the Honorable Thomas Walter Bickett, ex-governor of the State of North Carolina; and

WHEREAS, the deceased, the Honorable Thomas Walter Bickett, rendered distinguished service to his state and to his country; and

WHEREAS, it is now the desire of this Board to show its respect to the memory of the deceased and its deep appreciation of his services; therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That in the death of the Honorable Thomas Walter Bickett, the State of North Carolina has lost one of its most valuable and public spirited citizens-- an Up-right, Honest, Christian, Patriotic Gentleman, a man in whom all who knew him had the utmost confidence, and one who not only served his state and country with great distinction, but with a self sacrificing spirit of unselfishness and loyalty which will ever endear his memory in the hearts of his people.

Section 2. That the Board of Commissioners of the City of Asheville hereby expresses its deep appreciation of his services and tenders its heartfelt sympathy to his widow and son.

Section 3. That a copy of this resolution be spread upon the minutes of this Board, a copy furnished the daily press, and a copy mailed to the widow of the deceased.

Section 4. That this resolution shall be in force from and after its adoption.

Unanimously adopted this the 28th day of December, A. D., 1921.

Gallatin Roberts
Mayor

R. J. Sherrill
Commissioner of Public Works

R. L. Fitzpatrick
Commissioner of Public Safety.

Attest:

F. L. Conder
Secretary-Treasurer

One Lewis W. Hale, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, adjourned.

Secretary-Treasurer.

Thursday, December 29, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

FROM--

Attorney Guy Weaver, representing Mr. W. Floyd Byrum, appeared before the Board and requested a refund of $81.50, the amount alleged to have been paid by his client on account of a sewer constructed in Westwood Place and charged against the property of Mrs. Thomas Reynolds.

Mr. Weaver explained that the sewer in question was found, after his client had paid the assessments, to be assessed against another lot entirely and not against the lot purchased by his client.

This matter, on motion, taken under advisement.

Mr. Frank Hill appeared before the Board and stated that he had contracted with Mr. Baker to purchase the business of Mr. Baker in the Market provided he can get a release from the city covering the stall recently rented by him.

In this connection, Mr. Hill explained the firm of Hillier & Whitehead have willing to take over this stall which he originally rented and pay him for the improvements therein.

Commissioner Fitzpatrick called attention to the ordinance prohibiting the ownership of more than one stall by any one party in the City Market House, and stated that the only way Mr. Hill's request could be complied with would be to amend this ordinance and that personally, he was opposed to such action as, in his opinion, more stalls and more competition were needed.

Attorney Burgin Pennell state that he had been unable to find that a map or plan had ever been adopted by the authorities of the city designating the stalls in the Market House and suggested that such a plan or map be gotten up and adopted by the board in order that every one could be advised as to just exactly what constitutes a stall.

This matter, on motion, taken under advisement.

On motion, the following refunds of water rents were allowed:

S. Libinsky	176	Cumberland Ave.	Rebate	$2.27
C. G. King	16	Elaine St.	"	1.00
W. J. Cocke	149	S. F. Broad Ave.	"	3.22
Dr. R. J. Bateman		Norwood Park	"	5.61
Chas. Byrd	74	Edwin Place	"	4.16
E. V. Ferrell	4	Evergreen Land	"	3.60
Miss Elizabeth Bernard	134	Furman Ave.	"	2.30
H. T. Dillingham	90	Vance Street	"	1.17
Gaston Meares		Atkin Street	"	4.14
W. W. Rollins	209	Chestnut Street	"	1.17
J. O. Whitted	6181	Biltmore Ave.	"	1.38
Nora Grant	114	Bartlett Street	"	1.72
Grover Ledbetter	6385	Ralph Street	"	12.74
Chas. Finney	174	Park Avenue	"	6.36
Manda Nox	99	South Grove Street	"	2.76
W. R. Messer	174	Ashland Avenue	"	1.40
H. G. Sherrell	48	Gudger Street	"	1.74
J. J. Barrett	22	Phillip Street	"	.33
B. F. Williams	45	Clayton Street	"	4.30
F. M. Calvern	6133	Grace	"	2.22
Dr. J. M. Parker	66	Edgemont R. D.	"	1.80
C. W. Chanley	1020	Logan Park	"	2.05
John Lowrey	33	Shady Grove	"	2.01
H. M. Mathews	206	Merrimon Avenue	"	2.05
W. C. Ray	36	Merrimon Avenue	"	2.10
Mrs. W. A. Patterson	26	Highland Street	"	2.60
W. Y. Brayer	35	Grove Street	"	1.94
J. C. Whitted	56	Ralph Street	"	9.43
Luke Gaither	104	Livingston Street	"	.23
Roy Rodgers	3037	Woolsey	"	6.50
W. S. Lee	167	College Street	"	2.53
Jessie Burnett	784	Eagle Street	"	5.47
Geo. Dizer	20	Curve Street	"	1.11
H. Schaas	265	Valley Street	"	5.36
C. W. Lyles	16	Max Street	"	2.72

A petition requesting the installation of a sanitary sewer to accommodate that section of West Asheville lying west of Haywood Road was presented to the Board and, on motion, taken under advisement; the Mayor stating that the City Engineer has already made a survey of a sewer line to accommodate that section of the city.

(Copy of Petition)

TO THE HONORABLE MAYOR-COMMISSIONER AND
BOARD OF COMMISSIONERS,
CITY OF ASHEVILLE,
N. C.

GENTLEMEN:

We the undersigned Citizens, Tax Payers, property owners, and residents of Asheville, residing in that section of West Asheville west of Haywood Road and north of Haywood Road in the vicinity of Westwood Place, [illegible] Street, Louisiana Avenue, Greenwood Park, Falconhurst--(Hayes Addition) and Johnson's farm, together with the intermediate sections lying on both the north and south sides of the County Home road, do hereby respectfully petition the Honorable Mayor and Board of City Commissioners of the City of Asheville, to give the above named section relief from the present inconvenience, unsanitary, and unhealthful conditions, that are rapidly growing worse as these sections become more thickly populated, by the early installation of a modern sewer system:

(Signed by 88 names)

An application for permission for a license to sell doughnuts and bread from a push cart in the city was presented to the Board.

The party making the application was informed that there was no license provided the business was conducted outside the congested district of the city and directly in accordance with the rules and regulations of the Health Department and the party making the application was referred to the Health Officer for information.

On motion, the following building permits were granted:

Carl Von Ehson	Garage	26 Clyde Street	Estimated cost	$ 50.00
C. L. Merchant	5 rm House	Park Avenue	" "	2,500.00
Murray and Hill	6 rm House	Audtin Avenue	" "	4,000.00
Buckner Bros.	Repairs	40 Mountain Street	" "	500.00
L. L. Merchant	Three-4 rm Cottages	Clingman Avenue	" "	800.00
S. M. Penley	4 rm House	Wellington Street	" "	500.00
Nancy Agnew	Repairs	70 Ridge Street	" "	60.00

On motion, adjourned.

Secretary-Treasurer.

Friday, December 30, 1921-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. George Stephens, Chairman of the City Planning Commission, presented a formal contract with Mr. John Nolen to prepare plans and maps, and to make recommendations looking to the systematic future development and betterment of the city.

In explaining the selection of Mr. Nolen, Mr. Stephens stated that the Commission, of which he is chairman, investigated the matter thoroughly from every angle and was thoroughly satisfied that Mr. Nolen was the man to do the work.

On motion, duly seconded, a resolution, presented by the Commissioner of Public Safety, that the Mayor be authorized and instructed to enter into a contract with Mr. Nolen was unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO CONTRACT WITH MR.
JOHN NOLEN, CITY PLANNING EXPERT

WHEREAS, on the 19th day of December, 1921, an act was ratified by the General Assembly of North Carolina providing for the establishment of a Planning Commission and prescribing the powers and duties of said Commission; and

WHEREAS, said act specifically authorizes and empowers said Planning Commission to employ such technical and expert advisers as are necessary to assist it in carrying on the work provided for in said act; and

WHEREAS, said Planning Commission has been appointed and organized and in connection with its work unanimously recommends the employment of Mr. Joh Nolen, expert City Planner; and

WHEREAS, the securing of an expert on city planning has been discussed at some length by the various Civic Organizations of this city, all of which heartily endorses the employment of such a man; therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That Mr. Joh Nolen, expert City Planner, be employed to prepare plans and maps and make recommendations looking to the systematic future development and betterment of this city, and that the Mayor be, and he is hereby, authorized and instructed to enter unto a contract with Mr. Nolen in accordance with the recommendations of the City Planning Commission.

I move the adoption of the foregoing resolution this the 30th day of December, 1921.

R. L. Fitzpatrick
Commissioner.

Approved as to form:
Geo Pennell.
Corporation Counsel.

Attorney Chas. Lee Sykes presented a petition signed by a number of boys and girls residing on Montford Avenue, asking that the ordinance prohibiting skating on the sidewalks in the city be repealed or modified so far as Montford Avenue is concerned.

This matter, on motion, taken under advisement.

Attorney Burgin Pennell, representing Mr. Hill, appeared before the Board and asked for a decision with reference to the taking over of the stall in the Market House recently leased to Mr. Frank Hill by the firm of Miller & Whitehead.

The Commissioner of Public Works, being unfamiliar with all of the facts in connection with this matter, it was ordered, on motion, that Mr. Hill's request be taken under advisement; Mr. Pennell being promised a definite answer, however, by the meeting of the Board tomorrow morning.

Mr. Neal, a local civil engineer, was before the Board and asked whether or not the salary to be paid Mr. John Nolen as city planner covered the entire expense of the work or just merely the services of Mr. Nolen in supervising the work.

Mr. Neal was informed that it was the understanding of the Board that the salary to be paid Mr. Nolen covered everything in connection with the necessary surveys and plans for the future development and growth of the city for a period of twenty-five years.

On motion, the Mayor was authorized and instructed to issue a voucher in favor of W. V. Henry for $2,000, part payment on the contract for the construction of the fire station on Bartlett Street.

This in accordance with Architect Davis' certificate #3 of December 30, 1921.

On motion duly seconded and unanimously adopted, it was ordered that a voucher be issued in favor of Mr. W. Floyd Byrum in the amount of $55.50 for sewer assessments paid by him in error on account of the construction of a sanitary sewer line on Westwood Place.

The City Engineer's report showing the total and pro rata cost to property owners on account of the construction of a 6 inch pipe sewer on Beaver St having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection.

6" Pipe Sewer
Beaver St. 550 ft long

Labor		$ 263.26
540 ft 6" Pipe	@ .16½	89.10
Cement 7 bags	@ .80	5.60
Bricks (old) 2300	@ 8.[illegible]	18.40
Manhole Frame & Covers 4	@ 12.50	50.00
Sand 3 yds	@ 1.50	4.50
Repairing Tools		10.00
Engineering		[illegible].46
Advertising & Stationery		20.00
		481.32

Assessed Property Owners

Lot No	Name	Feet	Price	Amt
30½	Mrs. W. E. Logan	80	.48	38.40
125	" " " "	79.25	"	38.04
126	" " " "	70	"	33.60
127	F. L. Gilreath	70	"	33.60
128	Earnest J. Weaver	70	"	22.60
129	J. C. Peigler	70	"	33.60
130	I. B. McBrayer	50	"	24.00
131½	E. C. Andrews	60	"	28.80
134	Mrs. W. E. Logan	60	"	28.80
151	" " " "	140	"	67.20
124	Lena M. Sircy	70	"	33.60
123	" " "	70	"	33.60
122	" " "	113.5	"	54.48
				481.32

The City Engineer's report showing the total and pro rata cost to property owners on account of the construction of a 6inch pipe sanitary sewer on Louisiana Avenue from Haywood Road north, having been advertised in accordance with law, liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector.

6" Pipe Sewer
Louisiana Ave. Haywood Rd north

Labor		$ 284.84
590 ft. 6" Pipe	@ .16½	97.35
Cement 9 bags	@ .80	7.20
Brick 2700	@ 17.00	45.90
Manhole Frames & Covers	@ 12.00	36.00
Sand		4.50
Engineering		22.77
Advertising & Stationery		20.00
		518.56

Assessed Property Owners

Lot No	Name	Feet	Price	Amt.
60	Wm. Johnston Jr.	40	.543	21.72
61	Mrs. A. S. Henry	30	"	16.29
69	Wm. Johnston, Jr	74	"	40.18
70	" " "	60	"	32.58
71	" " "	66	"	35.84
72	John Wavra	50	"	27.15
73	R. P. Walker	50	"	27.15
74	" " "	50	"	27.15
41	F. W. Bordner	50	"	27.15
40	" " "	50	"	27.15
76	Anna M. Edwards	200	"	108.60
75	J. L. Bowles & Wife	115	"	62.44
119	Mrs. T. C. Jarrett	120	"	65.16
				518.56

Reports from the Street, Street Cleaning, Health, Incinerator Departments, the Public Health Nursing Association, City Plumber, Sealer of Weights and Measures, Building Inspector, Electrical Inspector, Commissioner of Public Safety and the Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

Spears Estate	Remodeling Store	W. College Street	Estimated cost	$[illegible]
[illegible] Jackson	[illegible] House	67 Choctaw Street	" "	[illegible]
[illegible] Jackson	[illegible] Dwelling	120 Macon Avenue	" "	[illegible]
Owen Gudger	[illegible] House	Greenlee Alley	" "	[illegible]
Mary E. Bridges	[illegible]	[illegible] Poplar Street	" "	[illegible]

On motion, [illegible].

Secretary-Treasurer.

Saturday, December 31, 1921-- 11 [illegible] A. M.

The Board of Commissioners met in regular session, Mayor [illegible], The minutes of the previous meeting were read and approved.

On motion, the Henry Knallauch was ordered exempted one-half of the interest charged on the paving assessment against his property on Haywood Road provided the remainder of principal and interest is paid today.

A report from the Commissioner of Public Safety, showing the activities in the Plumbing Department for the month of December was read and, on motion, ordered filed.

On motion, the following building permit was granted:

W. V. Henry 6-room House Olney Road Estimated cost $ 4,[illegible]

On motion, adjourned.

Secretary-Treasurer.

Tuesday, January 3, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. J. V. Martin was before the Board and introduced a Mr. Klutz of Salisbury, who is in Asheville in the interest of community work. Mr. Martin stated that Mr. Klutz would address the Kiwanis Club at the Battery Park Hotel on Friday, January 6th and invited the Mayor and the Commissioner of Public Works to be present as his guests and hear Mr. Klutz.

Mr. Martin's invitation was accepted; both the Mayor and the Commissioner of Public Works informed him that they would take pleasure in being present.

On motion duly seconded and unanimously adopted, it was ordered that Mr. Penland of the State Highway Commission be granted permission to place a sign on Pack Square advising that the road up Swannanoa River is closed and turning the traffic over the mountain.

On motion, the following building permits were granted:

C. G. Terhune	Barn House	41 Adams Street	Estimated cost		$ 2,500.
Conductors & Engineer's Assn.	Lunch Room	Depot & Else Alley	"	"	300.
E. L. Kaykendall	Bath room	Hazel Road	"	"	400.
J. H. Michael	6 rm House	77 Hill Street	"	"	3,000.
A. A. Rate	Repairs	368 S. Fr. Broad Ave.	"	"	250.

On motion, adjourned.

Secretary-Treasurer.

Wednesday, January 4, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

Water Superintendent F. M. Lindsey submitted a report showing the result of his investigation of the claim of Mrs. P. H. Thrash with reference to certain meter rents charged on meters furnishing water to her property on Blanton Street, South French Broad Avenue and Southside Avenue.

On motion, the report of Superintendent Lindsey was adopted as authentic and he was instructed to continue to collect water and meter rents on Mrs. Thrash's property in accordance with the records on file in his office strictly complying with the law in such cases made and provided.

Mrs. Pronson and Mrs. Brown, representing the Parent-Teachers' Association of the West Asheville School, appeared before the Board and requested that certain grading be done on the south side of the school building at once in order that the Parent-Teachers Association can start immediately to beautify the grounds.

After some discussion, the Board agreed to meet with the ladies on the grounds this afternoon at 3 o'clock, and investigate conditions.

A resolution authorizing the Mayor and Secretary-Treasurer to execute, in the name of the City to J. W. Rutherford and wife, a deed of conveyance to certain land described in a deed from the City of Asheville to R. C. Penland was presented to the Board and, on motion duly seconded, unanimously adopted.

(Copy of Resolution)

WHEREAS, on March 20, 1903, the City of Asheville being then the owner of a tract of land containing four acres in lower Hominy Township, South of the Western Turnpike Road, and North of the track of the Southern Railway Company, conveyed or attempted to convey said tract to R. C. Penland for the consideration of $125.00, which was duly paid; and,

WHEREAS, R. C. Penland and wife on February 2, 1913, executed a good and sufficient deed of conveyance for said tract of land and other land to E. C. Green; and,

WHEREAS, E. C. Green on February 12, 1913, executed a good and sufficient deed of conveyance for said tract of land and other land to J. W. Rutherford and wife Addie B. Rutherford; and,

WHEREAS, all of said deeds of conveyance heretofore mentioned have been duly recorded; and,

WHEREAS, a question has arisen as to the sufficiency of the execution and proof of the deed of conveyance in the City of Asheville, to R. C. Penland, above mentioned, which question it is desired to have settled:

NOW, THEREFORE, be it resolved by the Mayor and Commissioners of the City of Asheville, in regular session, that the Mayor and Secretary-Treasurer of the City of Asheville are hereby fully authorized and empowered to execute in the name of the City and to J. W. Rutherford and wife, a deed of conveyance in usual form, but without covenants or warranty, conveying to said grantees any and all interest of the City of Asheville, in and to the lot of land described in the deed from City of Asheville to R. C. Penland above mentioned.

This January 2, 1922.

I move the adoption of the foregoing resolution.

Gallatin Roberts

Commissioner.

Approved as to form:

Geo Pennell

Corpn. Counsel.

Attorney Geo. Wright, representing interested parties, presented a resolution for adoption by the Board; said resolution declining and refusing a certain strip of land forty feet in width, being an extension of Baird Street as now located in an Eastern direction from Sunset Drive along the South line of the Chunn property.

On motion, it was agreed that this matter be taken under advisement until the Board can go over the grounds in person and investigate conditions.

On motion, the following building permit was granted:

J. C. Buchanan	Cow Stable	40 Ora Street	Estimated cost	$ 15.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, January 5, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

A request that the drinking fountain located near the passenger depot be returned to its former location was, on motion, taken under advisement pending the return of the Commissioner of Public Works.

On motion, the City Engineer was authorized and instructed to furnish the Board with an estimated of additional grading at the West Asheville school grounds requested by the Parent-Teachers Association; said estimated to include the grading of the grounds on the East side of the building to the sidewalk and within ten feet of the old school building in the rear.

An ordinance prohibiting trucks from travelling at a greater rate of speed over the public streets of the city than twelve miles per hours was presented to the Board and on motion, passed on its first reading.

A report from the Chief of the Fire Department showing the activities in said Department during the month of December was read and, on motion, ordered filed.

On motion, the following building permits were granted:

J. C. Orr	Garage	84 Starnes Avenue	Estimated cost	$ 60.00
W. F. Humphries	4 rm House	Edwin & Murdock Ave	" "	1,000.00
W. A. Rogers	3 rm House	11 Herbert Ave.	" "	800.00

On motion, adjourned.

Secretary-Treasurer.

Friday, January 6, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The report of the Corporation Counsel giving his legal opinion as to whether the Health Officer of the City of Asheville is such an officer as to come within prohibition of the Charter of said city was read to the Board and, on motion, was taken under advisement until January 13, 1922 and Attorney J. E. Merrimon given an opportunity of filing a brief in the matter as per his request; said brief, however, to be filed by the 13th instant.

(Copy of Corporation Counsel's Letter)

January 3, 1922.

Hon. Mayor-Commissioner and Board of
Commissioners of the City of Asheville,
N. C.

Gentlemen:

In reply to your communication of November 11, 1921 requesting legal opinion as to whether the Health Officer of the City of Asheville is such an officer as to come within prohibition of the Charter of said city, as set forth in Chapter 49, Section 39 Private Laws of North Carolina, Session 1915, providing that "No one except a resident of the City of Asheville be eligible to any office in the corporation", I have to advise that the Act aforementioned makes it mandatory on the Board of Commissioners to elect a Health Officer and create such other offices and employments as to them may seem right and proper.

The Supreme Court of North Carolina in 1872, in the case of Clark vs. Stanley 66-59 defined a public officer as "an agency for the state, or a duly constituted subdivision thereof, and the person whose duty it is to perform an agency as aforesaid is a public officer, nor does it make any difference whether he receive a salary or fees, and takes an oath of office or not, these being mere incidents and no part of the office itself, nor is it material whether one act or a series of acts are required to be done it creates the position of a public officer and not an employee", and for the purpose of illustrating the decision of the Court, it created a fictitious office merely for the purpose of illustrating as aforesaid, and in reference thereto said "any agency for the state or subdivision is a public office and it makes no difference whether it be styled the office of the General of the Police or has no name, it is to all intents and purposes a public office." This case is cited in a long line of decisions since that date, principally among which are Doyle vs. Raleigh 89-133, Barnhill vs. Thompson 122-495; State vs. Smith 145-447; State vs. Knight 169-133, and in the late case of Grove vs. Barden 169-9, it is also cited with approval in a

lengthy opinion written by the late Justice Allen in which the Court says "One who holds an office is an officer, and a public officer as distinguished from an employee is one whose duties are in their nature public, that is, involving in their performance the exercise of some portion of the sovereign power whether great or small and in whose proper performance all citizens irrespective are interested either as members of the entire body politic or some duly established subdivision of it. Where an employment is a continuing one which is defined by rules prescribed by law and not by contract, such a charge or employment is an office, and the person who performs it is an officer and is subject to the restrictions and limitations thereunto belonging. The fact that the authority of one public officer is subordinate to that of another and his being appointed and not elected by a popular vote does not prevent him from being an officer as distinguished from a mere employee.-- A subordinate or an inferior officer is none the less a public officer."

Continuing, the Court said: "our Court is in line with the current of authority, having adopted and approved the difinition of an officer that it is a public position to which a portion of the sovereignty of the state authority, legislative, executive or judicial attaches for the time being, which is exercised for the benefit of the public. The most important character which distinguishes an officer from a public agency is that the conferring of the office carries with it a delegation to the individual some of the sovereign functions of the government, while a public employment, on the other hand, is a position which lacks one or more the foregoing elements." This case is cited with approval by the Federal Courts, in the recent cases of United States vs. Heinze, 170 Fed. 70, and Scully vs. United States 193 Fed. 185-186 and Chief Justice Marshal in United States vs. Maurice, 2 Brock 108 Fed. cases No. 15,747 said: "An office is a public charge or employment and one who performs the duties of an office is an officer;" which case is cited and approved in the following N. C. Cases:

Welker vs. Bledsoe, 68-457; Ellason vs. Coleman 86-241, and Worhty vs. Barrett 63-200; Throop on Public Officers Vol. 1- page 10 quoting the case of IN RE Whiting 1 Edm. Sl case N. Y. 498 says: "A Municipal Health Officer is a Public Officer"; while Rapalje & Lawrence's (Vol. 2-481, citing 6 Wall U. S. 385) Black's (page 564) and Bouvier's (page 1429) Rawles 3rd Rev. 1429) Law Dictionaries and Stroud's Judicial Dictionery (page 1382) define a "Health Officer" as one charged with the duty of executing and enforcing the health laws. While in 18 L. R. A. on page 513, a public office is defined to be a right to exercise a public employment and to take the fees thereunto belonging, or employment on behalf of the government in any station of public trust, not merely transient, occasinnal or incidental.

That the preservation of the public health is a governmental function, is too obvious for discussion. The Supreme Court of North Carolina, in the case of State vs. May in 126-999, in upholding an ordinance for the protection of the public health held that the safety of the people is the highest law, and that the State Legislature had delegated great powers to the governing bodies of a Municipality that closer scrutiny and regulation of health matters could be had, and in decisions too numerous to mention, the Court has universally laid down the proposition of law that the enforcement of health regulations were governmental in their nature, and that except in the abuse of the discretion vested in public officers the Municipality would not be held liable for enforcement thereof, among which are Hines vs. Rocky Mount, 162-409; Shelby vs. Power Company 155-196; Rosenbaum vs. New Bern 118-83; Metz vs. Asheville 150-469 and State vs. Staples 157-637. While Dillon on Municipal Corporations, Section 1661, in a discussion sustained over one hundred decisions of the various Courts of the Country says: "The conservation of the public health as a power or a duty of a municipal corporation appertains to it in its governmental or public capacity and not in its corporate or private capacity.

A discussion of residence as a requisite for eligibility to hold municipal office may be found in Dillon on Municipal Corporations- Vol. 1, page 195, in which a long line of cases is cited upholding the following

principles: "Residence for a certain period within the Municipality is almost invariably required in express terms, as one of the conditions of eligibility to hold a municipal office, and mere colorable residence is in no case sufficient, and the requirement of residence in order to hold municipal office is to be construed strictly as against the incumbent of any office under investigation as one of the guaranties to the inhabitants of the Municipality that its public officers are residents of the same and are, therefore, more interested in its proper government".

Applying the legal principles and definitions set forth above to the question under investigation, I, therefore, advise you that in my opinion the Health Officer of the City of Asheville, as created by its Charter, is a public office and no one except a resident and a duly qualified elector thereof is eligible to hold the office aforesaid, for that the Legislature of North Carolina has created said City as a subdivision of the State for the purpose of government, and made mandatory the election of a Health Officer who is charged with the execution and enforcement of its health laws, together with such health ordinances and resolutions as the Board of Commissioners may pass on the subject; a large number of the latter having been passed in which the Health Officer is expressly charged with the duty of executing and enforcing the same, which execution involves portions of the sovereign function of a State finding its source and limitations therein.

Very respectfully yours,

Geo Pennell

Corporation Counsel.

An ordinance limiting the speed of motor trucks in the City of Asheville to twelve miles per hour was presented to the Board and, on motion, passed on its first reading.

Reports from the Electrical Inspector, Building Inspector, Sealer of Weights and Measures and the Dog Catcher were read and, on motion, ordered filed.

On motion, adjourned.

Secretary-Treasurer.

Saturday, January 7, 1922 -- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that Lot [illegible], belonging to Mr. L. B. McBrayer, be exempted the amount of the sewer assessement charged against it on account of the construction of a sanitary sewer on Beaver Street.

This action taken in view of the fact that the sewer was constructed through the property of Dr. McBrayer and it was understood that same was not to be assessed against his property in view of that fact.

The request of Mr. D. S. Hall and others that the road platted from Beverly Road running in a northwesterly direction be opened and that water be provided for citizens residing in that section of the City was, on motion, referred to the Planning Commission; Mr. Hall agreeing to co-operate with the Planning Commission and furnish it with plat showing the sub division of the property in question.

A petition, signed by interested property owners, requesting the construction of a storm sewer over the branch between Hamilton Street and Brooklet Street, was presented to the Board and, on motion, referred to the Commissioner of Public Works with a request that he have the City Engineer prepare an estimate of this proposed improvement.

(Copy of Petition)

Asheville, N. C. December 1, 1921.

To the Honorable Mayor & Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

We, the undersigned property owners owning property on or near the vicinity of Hamilton Street, do hereby respectfully petition your Honorable Body to order the construction of a storm sewer over the branch between Hamilton Street and Brooklet Street, the cost of said improvement to be pro rated against property benefitted, as provided by law.

Respectfully submitted:

W. M. McDowell
McKinley Pritchard
C. R. Pinner by W. M. McDowell, Agent.

A report showing the activities of the Fire Department for the year 1921 was presented to the Board and, on motion, ordered filed:

Asheville, N. C.
January 7, 1922.

Mr. R. L. Fitzpatrick,
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:

I am submitting herewith report of the activities of the Fire Department for the year 1921.

The Department answered two hundred and sixty-five alarms, as follows:

Eighty-nine bell alarms; one hundred and eleven telephone alarms; seventy-five still alarms; of which fifteen were outside of the City limits.

Value of Buildings endangered	$ 1,444,425.00
Loss on Building	23,387.00
Insurance on Buildings	655,340.00
Value of contents endangered	1,126,875.00
Loss on contents	50,644.00
Insurance on contents	719,325.00
Total loss on Buildings and contents	84,031.00
Hose used	25,700-ft.
Chemical used	743-gals
Ladders raised	2,216-ft
Miles apparatus traveled	328-miles
Hours of service	68 hrs. 35-min.

I am pleased to report also that there has been no serious accident in the personel of the Fire Department for the past year.

It is gratifying to state that the efficiency and discipline of the department is of the highest order, the officers and members being ever ready to perform their duties and to obey orders.

I wish to say that I fully appreciate the friendly cooperation and the kind and courteous treatment received from the officers and members of the Fire Department.

In conclusion, I take great pleasure in acknowledging the kindness and consideration of all the Commissioners, the Police Department, and of all others who have helped us during the past year.

Respectfully submitted,
A. L. Duckett
Chief of Fire Department

A report showing the collections in the Department of Public Safety during the month of December 1921 was presented and, on motion, ordered filed.

On motion, the following building permits were granted:

W. B. Bishop	Frame Dwelling	Pennsylvania Ave.	Estimated cost	$ 4,000.00
Calvary Baptist Church	Church	Haywood Road	" "	6,500.00
Rob. W. Curtis	Repairs	127 Broad Street	" "	250.00

On motion, adjourned.

Secretary-Treasurer.

Monday, January 9, 1922.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The reading of the minutes was suspended out of respect for the late Lewis M. McCormack, City Bacteriologist.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That the following statement of appreciation of the official services and the personal qualities of the late Lewis M. McCormack be spread upon the minutes of the City of Asheville.

Lewis M. McCormack personified all that was best in a municipal servant. He found in public office an opportunity to make his great abilities a benefaction to his fellow-citizens and of this opportunity he availed himself without stint.

His profound and varied learning was surpassed only by his ever-present desire to serve his community. In youth he had enjoyed the best of educational advantages and throughout his life his insatiable intellectual interests kept him eternally in pursuit of knowledge.

This learning was always accessible to the City of Asheville. He was often called into consultation on matters that lay without his prescribed duties and he always responded with alacrity and with a desire to serve.

His services in advancing the public health interests of Asheville cannot be accurately measured. They were too large and extended over too long a period of time. The health of the people was his first concern and to the task of safe-guarding it he brought his indefatigable energies and his sound judgment. Suffice to say that the present high standing of Asheville as a city that emphasizes public health as a municipal duty is due largely to him

Mr. McCormack was a man of rare personal charm. He was beloved by all of his associates. He was loyal to his superiors and thoughtful of the welfare of his subordinates. He was utterly destitute of pettiness of any kind. He was willing to labor without thought of personal credit or advancement. Other cities offered him more lucrative salaries and wider opportunities but he remained in Asheville because he loved the city and enjoyed his associations.

In his death the City of Asheville has lost one of its most faithful and valuable employees. He cannot be replaced. He is entitled to the gratitude of all who feel that the reward of a public servant is to be found in the appreciation of those whom he serves.

Gallatin Roberts
Mayor.

R. J. Sherrill
Commissioner of Public Works.

R. L. Fitzpatrick
Commissioner of Public Safety.

Unanimously adopted by the Board of Commissioners of the City of Asheville in regular session assembled at the hour of 11 o'clock, A. M., January 9, A. D., 1922.

F. L. Conder
Secretary-Treasurer.

On motion of the Commissioner of Public Works, duly seconded and passed unanimously, it was ordered that a copy of the above resolution be forwarded to the relatives of the late Dr. McCormack and that a copy be furnished the daily press.

On motion duly seconded and unanimously adopted, it was ordered that all further business be suspended in honor of the memory of Lewis M. McCormack, City Bacteriologist.

Secretary-Treasurer.

Tuesday, January 10, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on official business. The minutes of the previous meeting were read and approved.

A committee representing the local Y.M.C.A., Mr. J. C. Martin acting as spokesman, appeared before the Board and asked that the city abandon the sidewalk space of approximately six feet on Bennett Street, allowing this space to be used in the athletic field which the Y.M.C.A. proposes to construct.

In this connection it was called to the attention of the Board that an early decision is necessary in view of the fact that the contract for the construction of the proposed building is now ready to be signed and the grading to be done will depend on the decision of the Board.

On motion, the matter was taken under advisement, the Board of Commissioners promising to look over the grounds in company with the City Planning Commission this afternoon and render its decision tomorrow.

The promoters of the proposed recreation and amusement park in Kenilworth extended an invitation to the members of the Board to attend a meeting at 4:30 o'clock P. M. at the Board of Trade Rooms, this afternoon, where the proposition will be discussed.

On motion, the invitation was accepted with thanks.

The Commissioner of Public Works advised that the funeral of the late L. M. McCormack would be held at the Masonic Temple tomorrow morning at 11 o'clock, and moved that the fire bell be tolled at that hour and that the city hall be closed out of respect to him.

The above motion, being duly seconded, was unanimously adopted.

A petition requesting the construction of a storm sewer over Reed's Creek from Broadway north approximately one hundred feet was read to the Board and, on motion, ordered filed.

(Copy of petition)

To the Honorable Mayor and Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

We, the undersigned citizens and property owners, respectfully petition your Honorable Body to construct a storm sewer over Reed's Creek from Broadway North approximately one hundred feet, charging the cost of same against property benefitted as is provided by law.

Respectfully submitted;

E. J. Grisset
A. C. Prendle
Mrs. J. M. Bradford
J. M. Burton
J. S. Sumner

The City Engineer's reports showing the total and pro rata cost to property owners on account of the construction of sanitary sewers on Rosewood Avenue, Brownwood Avenue and Craven Street were presented to the Board, and on motion, ordered advertised in accordance with law.

On motion, the following building permits were granted:

C. E. Patterson	6 rm. House	Rotindale Avenue	Estimated cost	$ 8,000.00
H. T. Gordan	4 rm House	Greenwood Park	" "	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Friday, January 13, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

A petition, signed by property owners on the north side of Bennett Street, asking that the Board refuse the request of the Y. M. C. A. to build a wall along the south margin of Bennett Street to the curb was presented and, on motion, ordered filed.

TO THE HONORABLE MAYOR AND BOARD OF COMMISSIONERS
OF THE CITY OF ASHEVILLE:

GENTLEMEN:

We, the undersigned, property owners on the North side of Bennett Street, understand that the Y.M.C.A. of the City of Asheville, is making permission to build a wall along the South margin of Bennett Street along the curb and extend the atheletic field to the curb of said street, desire to herewith enter our protest. As in usual and customary, streets are laid out for the purpose of having the convenience of a side-walk on both sides of the street, and if the Y.M.C.A. is permitted by the Board of Commissioners of the City of Asheville to build the wall with the curb on the South side of Bennett Street, it is effect makes an alley of said street and would thereby greatly damage or reduce the values of property to the owners on the North side of Bennett Street. The undersigned insist that whatever wall is built by the Y.M.C.A., that the same be placed five feet South of the South curb of Bennett Street, and that it be so constructed as to take care of the flow of water off the Y.M.C.A. lot in such a way as not to interfere with the convenient use of Bennett Street. The undersigned further request that a sidewalk be placed on the South side of Bennett Street.

Respectfully submitted,

J. I. Page
H. E. Gruver, 26 Bennett St.
Mrs. J. F. Keith, for
R. M. Ramsey, 132 S. Liberty St.
Mrs. W. A. Shaw

Rev. H. F. Scrugg, Waycross, Ga.
for Dr. W. H. Scruggs, Asheville
E. F. Cole
H. G. Swatzberg

Messrs. E. F. Cole and H. G. Gruver, representing themselves, and Attorney J. F. Ford, representing property owners, appeared before the Board and asked the Board to refuse the request of the Y.M.C.A. to build the wall flush with the street on the south side of Bennett Street, on the grounds that the property on the opposite side of the street would be damaged if the property owners inconvenienced, that the four feet requested would not materially benefit the athletic field, but would seriously affect the street, making an alley of same.

On motion, it was ordered that the request of the Y.M.C.A. for permission to construct a wall on the south margin of Bennett Street be refused.

On motion, the Purchasing Agent was instructed to advertise for bids for the construction of a concrete culvert over the branch on Coleman Avenue in accordance with plans and specifications to be prepared by the City Engineer.

One J. O. Walker, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

Reports from the Street, Street Cleaning, Health and Incinerator Departments, the Public Health Nursing Association, City Plumber, Building Inspector, Plumbing Inspector, Sealers of Weights & Measures and Dog Catcher were read and, on motion, ordered filed.

On motion, it was ordered that the recommendation of the City Plumber that the Plumbing Inspector be instructed to notify the owners of the Battery Park Hotel to install grease traps at once in order to protect the sewers from grease being washed into them, be adopted and the Plumbing Inspector was instructed to serve the necessary notice.

On motion, the following building permits were granted:

Walter Jenkins	Sleeping Porch	72 Nevada Avenue	Estimated cost	$ [illegible]
Spray Cotton Mills	Repairs	Broadway near Chestnut	" "	[illegible]
Dr. J. M. Lynch and others	Alterations	70 College Street	" "	[illegible]
S. Lipinsky	"	Patton Ave. & Church	" "	[illegible]
Mary E. Rogers	Garage	43 Grove Street	" "	[illegible]
C. F. Strenbro	Bungalow	201 Merrimon Avenue	" "	[illegible]
Maggie Arnold	Alterations	31 Ocalla Street	" "	[illegible]

On motion, adjourned.

Secretary-Treasurer

Saturday, January 14, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business, the minutes of the previous meeting were read and approved.

The request of Mr. J. L. Angel that the City make the necessary repairs to Third Avenue to make same passable as he desires to start the erection of three houses at once, was, on motion, taken under advisement.

The proposition of Mr. Angel to bear one-half the cost of installing a culvert to drain the street if the City would install same, was, on motion, referred to the Commissioner of Public Works.

On motion, the following building permits were granted:

S. H. Phillips	2 rm. Addition	West Asheville	Estimated cost	$ 1,[illegible]
C. F. Tow	4 rm House	Oakwood Street	" "	1,[illegible]
Chas. Sisney, Jr.	Bungalow	34 Clingman Ave.	" "	40.
Mrs. Mary E. Betts	Repairs	33 Mountain Street	" "	300.

On motion, adjourned.

Secretary-Treasurer.

Monday, January 16, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

Mr. [illegible], representing interested property owners residing in the vicinity of [illegible] Road, appeared before the Board and stated that some twelve or thirteen families [illegible] a spring and asked that a water main be extended from the [illegible] these houses.

The Board agreed to go over the ground on Wednesday afternoon at 3 o'clock [illegible] conditions.

One [illegible], having filed bond, court record, doctor's certificate and [illegible] required under the ordinance regulating public service automobiles and all papers [illegible] approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that [illegible] the license requested.

The resignation of Mr. E. J. Jones as desk sergeant of the Police Department was read and, on motion, accepted.

Asheville, N. C. January 9, 1922

Mr. R. L. Fitzpatrick
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:

I hereby tender you my resignation as desk Sergt, of the Police Force of the City of Asheville to take effect at once.

It is with regret that I have to leave the department, but in view of the fact that I am unable to get further leave of absence from the Southern Ry. Co., and I do not deem it wise to loose fifteen years age with them.

I wish to take this opportunity to thank you for your many past favors and in case I may ever be of service to you I will be glad to do so.

Very truly yours,

E. J. Jones.

On motion, adjourned.

Secretary-Treasurer.

Tuesday, January 17, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

On motion, the following building permits were granted:

T. J. Harrison	2 rm House	624 Haywood Road	Estimated cost		$ 75.00
Jim Gaither	3 rm "	Green Row	"	"	500.00
Wayne Beachboard	5 rm "	778 Haywood Road	"	"	3,000.00
Talmadge David	Restaurant	Waynesville Avenue	"	"	25.00
David Kimberly	12 rm Residence	Merrimon Avenue	"	"	6,000.00
Normal & Associated Schools	Normal & Industrial College	Biltmore Avenue	"	"	170,000.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, January 18, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

There being no further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Thursday, January 19, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

LYMAN SIGNAL--CHAS. N. NEAL

Mr. Chas. N. Neal appeared before the Board and endorsed the Lyman Automatic Signal in use at the intersection of East Pack Square and College Street and asked that the Board consider having this signal installed at the intersection of Lexington Avenue and College Street, at the intersection of Lexington Avenue, Hiawassee Street and Woodfin Street and on the dangerous curb on Park Avenue.

This matter, on motion, taken under advisement.

[illegible]

On motion, the following building permit was granted:

J. Alfred Moore	4 room House	Horney Heights	Estimated cost	$ 2,000.00

On motion, adjourned.

Secretary-Treasurer.

Friday, January 20, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

R. P. WALKER--[illegible]

The complaint of one R. P. Walker that his property has been assessed with some $50.00 for the construction of a sewer on Louisiana Avenue whereas said property was already connected with the sewer on Majestic Avenue and that he does not contemplate ever using the sewer on Louisiana Avenue was, on motion, referred to the Commissioner of Public Works for investigation and report.

HARRY PARKER--[illegible]

Mr. Harry Parker appeared before the Board and called attention to the fact that the McCloud estate owned a five feet strip of land between his property on Maxwell Street and the street which they were trying to sell to him, but before buying same he wanted to find out whether or not the city ever expected to condemn the strip of land in question for street purposes.

This matter, on motion, taken under advisement; the Board agreeing to go over the ground in person this afternoon and investigate conditions.

TRADES' COUNCIL--[illegible]

Messrs. Jarrett and Buckner, representing the Trades' Council and the Carpenters' Union, asked that the plans and specifications be prepared and the contracts let for the new school buildings the city proposed to erect as early as possible in order to provide employement for mechanics in the city who are now out of work.

These gentlemen were assured that the Board together with the School Advisory Board had no other idea than to award the contracts and get the proposed buildings under way as soon as possible.

MONTHLY REPORTS

Reports from the Street, Street Cleaning, Health and Incinerator Departments, Public Health Nursing Association, City Plumber, Plumbing Inspector, Building Inspector, Electrical Inspector, Sealer of Weights and Measures and the Dog Catcher were read and on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

F. O. Cox	Sleeping Porch	7 Merrimon Avenue	Estimated cost	200.00
J. M. Burton	2 Stores & 10 Rooms	Starnes and Broadway	" "	8,000.00
John Renfro	5 room House	Spears Avenue	" "	4,000.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, January 21, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Safety it was ordered, on motion, that he be authorized to enlarge the present office of the Clerk of the Police Court by setting back the partition between the said office and the jail.

There being no further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Monday, January 23, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, the following building permits were granted:

Frank Turner	5 rm House	4 Robindale Avenue	Estimated cost	$ 2,500.00
Miss E.S.Whaley and Rhea Dallas	8 rm House	Forest Hill Road	" "	5,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, January 24, 1922-- 11 o'ckock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. D. S. Elias was before the Board and explained that he owned some lots on Haywood Road between Mrs. Logan's property and Brownwood Avenue, that the town of West Asheville in widening this street cut eight to twelve feet off the front of these lots and that Mr. Wolfe, who is interested in the property with him, took the matter up with the Board of Aldermen and they agreed to allow them damages in the amount of $125.00 and the paving assessments. The check for $125 being made to the Balm Grove Church at the request of Mr. Wolfe. Later, however, it had developed that all of this property was still charged with paving assessments.

Mr. S. D. Hall stated that the property owned by him was a part of the property described by Mr. Elias, that the lots in question were located up on a bank fifteen feet above the level of the street car line and that the street car company's right of way of thirty feet was between the property and the street, therefore, the only way to get to the lots in question was through an alley on the rear.

Mr. F. B. Ingle, who was a member of the Board of Aldermen of the town of West Asheville at the time Haywood Road was widened and paved, stated that his recollection of this matter was that the grading of the street was held up and Dr. Anderson, one of the Aldermen and Chairman of the Street Committee, was authorized to settle with the property owners, that on the following Friday night after this authorization had been given him, Dr. Anderson reported that he had settled with the property owners, allowing them all street, sidewalk and sewer assessments as damages. That while he had been unable to find in the minutes of the proceedings of the Board of Aldermen had taken any action in the specific case in question he did find where the Board had acted on the damages to Mrs. Logan's property, that this property was formally a part of the Logan property.

Mr. J. W. Haynes, Attorney for the Southern Coal Company, filed a claim for damages to the amount of $[illegible], as to the property of the said Company, alleging that the City has diverted drainage and surface water from its natural course to and upon said property.

On motion, the claim was ordered filed.

(Copy of Claim)

TO THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF ASHEVILLE.

GENTLEMEN:

You are hereby notified that the Southern Coal Company, Incorporated, under the laws of the State of North Carolina, with its principal office or place of business in the City of Asheville, has been greatly injured by reason of the wrongful acts of said City in diverting drainage and surface water from its natural course to and over the property of the said Southern Coal Company, at or near its yard and barn situated just below Smith's Bridge on Riverside Drive; that the wrongful act of the City of Asheville, as aforesaid, diverts great quantities of surface water from the vicinity of the area in and around the cotton mill and Westall's Lumber Yard in and over the property of the Southern Coal Company

That the water so diverted from its natural course, and the surface water from said area, wrongfully diverted from its natural course, during the rains of the past thirty days, has greatly washed the property of the Southern Coal Company and removed therefrom large quantities of earth that have been filled in at great expense by the said Coal Company, thus rendering the property less useful with its present buildings, and making [illegible] of its property impossible without incurring great expense.

WHEREFORE, the said Southern Coal Company claims and demands [illegible] of the City of Asheville in the sum of Twenty-five Hundred Dollars [illegible].

Respectfully submitted this the 24th day of January, 1922.

SOUTHERN COAL COMPANY, INC.

By J. W. Haynes Attorney

[illegible]

The request of Mr. S. D. Hall for a street light on Brevard Road was, on motion, referred to the Commissioner of Public Works.

[illegible]

The request of Mr. F. B. Ingle that two or three street lights be installed on Sulphur Springs Road and sale road worked out was also, on motion, referred to the Commissioner of Public Works.

[illegible]

The Mayor presented a resolution setting out the fact that the Corporation Counsel had advised that the Health Officer of the city is an officer thereof in the Commission form of government charter of the city and therefore, legally must be a resident of the city and declared the office now held by Dr. Carl V. Reynolds vacant.

In connection with the resolution offered, the Mayor also filed a brief prepared by Attorney J. G. Merrimon together with a personal communication from Attorney Merriman with reference to the matter and called to the Board's attention the fact that the Corporation Counsel opinion had been filed with the Board and embodied in the minutes some time ago.

The Commissioner of Public Safety stated that in view of the difference of opinion between the Corporation Counsel and Attorney Merriman, he could not support the resolution offered, while the Commissioner of Public Works explained that in view of this difference of opinion and of Dr. Reynold's long service with the city and for the fact that he felt that to lose Dr. Reynolds at this time would be a serious blow to the Health Department, he was of the opinion that this was a matter to be determined by the courts.

The motion offered, receiving no second, was lost.

The Mayor explained that should a suit be brought to enjoin him or the Board from paying any salaries to Dr. Reynolds, he would want the motion offered by [illegible] part of his answer and asked that same be embodied in the minutes, which was, on motion, ordered.

(Copy of Resolution)

WHEREAS, Section 22, Chapter 47, of the Private Laws of North Carolina, Session 1913, being generally known as the Commission Form of Government Charter for the City of Asheville, provides as follows:

"No one except a resident of the City of Asheville shall be eligible to any office in the corporation;"and,

WHEREAS, it has been brought to the attention of the Board of Commissioners that Dr. Carl V. Reynolds, the present Health Officer of said City, has been and is now a non-resident of the City of Asheville, and the Board finds as a fact that for a number of years, with the exception of a short period, the said Dr. Carl V. Reynolds has resided outside of the corporate limits of the City of Asheville and is not a resident thereof; and,

WHEREAS, the Corporation Counsel has been requested by the Board to advise them in an official capacity as to whether the Health Officer is an officer of the municipality, and that said Corporation Counsel advised that the Health Officer of the City of Asheville is an officer thereof; and,

WHEREAS, each and every member of the Board of City Commissioners, before assuming the duties of his office, took a solemn oath to uphold the laws of the State of North Carolina and the charter of the City of Asheville, and under the terms of said oath it counts to faithfully enforce and uphold the law, and any intentional failure on the part of the Commissioners to uphold the law as aforesaid, is a violation of their sacred oath of office; and to continue to keep in office, an officer, who is ineligible, is to violate and fail to uphold the law of the State of North Carolina, as expressed in the Charter of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONER that:

-1- The office of Health Officer of said City as now held by the said Dr. Carl V. Reynolds, while a none-resident of the City of Asheville, be and is hereby declared vacant, and that the Board proceed to elect a duly qualified successor at once;

-2- That the Board extend a vote of thanks to the said Dr. Carl V. Reynolds for the faithful and efficient work as Health Officer of the City of Asheville during his tenure of office.

I move the adoption of the foregoing resolution, this the 24th day of January, 1922.

GALLATIN ROBERTS.

Approved as to form:

Corporation Counsel.

(Copy of Brief)

January 20, 1922.

To the Mayor and Board of Commissioners,

Asheville, N. C.

Gentlemen:

I have been requested to give my opinion with reference to the eligibility of Dr. C. V. Reynolds to act as Public Health Officer. I had not expected to do this, but I understand it has been stated that I was in effect at odds with Mr. Pennell in regard to his opinion. I am not, and so informed the Mayor and Mr. Pennell. I stated to them that I recognized the force and effect of Mr. Pennell's opinion, and that there was considerable authority -- perhaps the greater weight of authority, might be to the effect that Dr. Reynolds held a public office and was not an employee, but that the matter had to be viewed in the light of the present City charter, and, in my opinion, there were good and sufficient reasons for doubting the correctness of Mr. Pennell's views in relation to the matter. I also stated I thought that it was a matter solely for the courts and that the courts could hold either way, and sustain their holding by ample authority. I am sure Mr. Roberts and Mr. Pennell will bear me out as to the interpretation of the matter by me.

Since talking to them however, for my own gratification and satisfaction, I have been examining the City charter.

Prior to 1913, Asheville was governed by a mayor and board of aldermen, and the charter provided for boards of health, health officers, so forth and so on. The duties of all these officials were described in detail by the charter as it then existed. There was a radical change proposed in the government of this City, and it was determined to divest all officials then in existence of all power, and to concentrate the management of the City affairs into the hands of a very small body, and the Legislature therefore passed an Act, giving to the City what is known as a Commission Form of Government, and this was submitted to the people, ratified and adopted, as I recall, sometime in the year 1913.

Section 3 of the Act provides, that all the corporation powers of the City of Asheville shall be exercised by the Board of Commissioners and such other officers and agents as are provided for, subject to the limitations imposed by the new charter.

Section 4 provides, that the Executive and Administrative powers, authorities and duties in the City of Asheville are distributed into and among the several departments, and the powers and duties to be performed are assigned to the appropriate departments and officers, all "as herein set forth". Then certain duties are assigned to the Commissioner of Finance, certain to the Commissioner of Public Works, certain to the Commissioner of Public Safety.

Section 10 provides, that the Board of Commissioners shall exercise all legislative powers, functions and duties conferred upon the City or its officers, and that -- "All heads of Departments, Agents and employees are the agents of the Board of Commissioners only, and all their acts shall be subject to review, and to approval or revocation by the Board of Commissioners.

Section 14 especially provides --"THE BOARD OF COMMISSIONERS SHALL HAVE CHARGE OF ALL MATTERS RELATING TO THE PUBLIC HEALTH, AND SHALL HAVE CHARGE OF ALL DUTIES NOW REQUIRED BY LAW".

Section 17 gives them all the power and authority "that is now, or may hereafter be given by law to the County Superintendent of Health or County Physician, and such further powers and authority as will best preserve the health of the citizens". The Board is given power to make rules, regulations, etc. Then is enumerated the various and sundry things that the Board can do, and shall do, and no one else can do it. It is also provided in said section that they shall elect a health officer and create such other offices and employments as to them may seem right and proper, and fill the same and fix their compensation.

Section 18 gives them charge of the Public Schools, etc., and the powers and duties of the Superintendent of Schools are enumerated at considerable length. I mention this because no powers of any kind are given by the charter to the health officer, and it is recognized in Section 17, that it is nothing but an employment, because the charter says they shall elect a health officer, and create such other offices "and employments", so wins clearly that the health officer was nothing but an employee.

The charter provides that they shall elect certain officers, Section 31, and the duties of these officers are prescribed by further sections.

The duties of the Police Department are prescribed by Section 48, but nowhere in the charter, as it now stands, are any duties prescribed for the health officer. He is nothing in the world but an administrator to carry out the wishes and directions of the Board.

This new charter provides that all acts, and parts of acts, in conflict with it are repealed, and that all provisions not in conflict are continued in force.

In the old charter there is a provision that no one shall hold an office who is not a citizen or resident of the City, and it is contended that Dr. Reynolds' office is an office within the meaning of the law. I do not think this is so.

It is true that a health officer is a recognized position in the State law, but when you undertake to construe this new charter, it is perfectly manifest and apparent that it was the purpose to divest the City of as many officials as possible, and to lodge and vest in the Commissioners, with the exception of the specified officers named whose duties are enumerated, every particle of legislative and administrative power conferred by the charter, and it was not intendend, and, in my opinion, the charter does not give to the health officer any power or authority except such as any other employee of the City may have by virtue of his employment, that is, that he would have the right to perform the duties required of him, subject, at all times, to the direction and control of the Board; and that he has no inherent power, and no right whatever to initiate or do anything, nor has the Board of Commissioners the power to confer upon him the right to initiate or do anything of his own volition. The Board has to pass all the rules and regulations, and he simply sees that is orders are carried out, and that the health affairs of the City are administered properly, just like the Superintendent of Schools sees that the schools are administered properly. In fact, the charter give the Superintendent of Schools large authority, whereas it gives the health officer none at all. The Board cant delegate its powers. It can only see that they are executed.

Mr. Pennell has ignored the distinction and treats the position as if it were an office, and as if the charter had absolutely no control or bearing upon the subject at all; whereas, the charter is the foundation stone for the entire sturcture. None of the officials have any right except such as is given by the legislative sanction in the charter, or in the general law, and in this particular matter, the charter expressly provides that the Board shall have all the powers conferred upon a health officer by the general law.

I think this is the law:

"One who receives no certificate of appoint, not required to take an oath of office, has no term or tenure of office, discharges no duties and exercises no powers, depending directly on the authority of the law, but simply performing such duties as are required of him by the persons employing him and whose responsibility is limited to them, is not an official, although those employing him are public officials, and whose employment is in and about public work or business."

This doctrine was announced in Mayor of Baltimore v. Lyman, 84 A.S.R., [illegible], 32 L.R.A., 4[illegible]. In that case the charter of the City required [illegible] should hold a municipal office unless they were registered voters of the City of Baltimre. A man by the name of Van Sickle was appointed Superintendent of Public Instruction. He was not a voter of the City of Baltimore. Lyman filed a bill to prevent the payment of his salary, and the question of his eligibility for the position was raised. The charter is not unlike the charter here in many respects. It was held that Superintendent of Schools was not a public office -- that all the power with regard to it was vested in the Department of Education, and that the Superintendent had no power except such as was derived through the Board.

If you will note, the City charter here gives no power at all to the health officer -- simply provides for his appointment, but it does give to the City Superintendent of Schools broad powers, subject however, to review by the Board of Commissioners, but when it comes to public health, all matters pertaining thereto and all duties to be performed in regard thereto, are vested solely in the Board of Commissioners.

It is said that the Health Officer has vested in him considerable power by virtue of ordinances passed by the Board. The Board has no right to delegate its power in this respect -- the charter does not give it the right, it can make rules and regulations and pass them on to an employee to see that they are carried out, and that is all the health officer, can do under the charter or his employment.

In State v. Hooker, 63 A.S.R., 174, it is said the duties of the employment must be continuing and prescribed by law, and not by contract, The term embraces the idea of tenure, duration, and duties. Here there was no tenure, duration, nor duties, except such as he was ordered to perform by the people who appointed him not by law.

It is said that the primary, necessary and fundamental test of an office is that it should involve the exercise of some portion of the soverign power of the state; 86 N. C., 235.

In Wrothy v. Barrett, 63 N. C. 201, the Supreme Court, in discussing the question as to who was an officer, said, that the distinction as between officers and placemen is that an officer is required to take an oath to support the Constitution of the State and United States, whether placemen or not. Certainly, there is nothing in this charter that requires any oath of any kind to be administered, and certainly does not require any official oath from Dr. Reynolds -- he had to give no bond -- his tenure of office was not fixed or definite. Like the Baltimore charter which said that the educational matters were vested in the Department composed of School Commissioners and that the Superintendent of Public Instruction exercised no power except what is derived from and through such Board. In this case, the Health Officer certainly has no powers, because the charter places every particle of power, in regard to such matters, in the hands of the Commissioners, as will be seen by Sections 16 and 17. Section 17 goes so far as to confer upon the Board of Commissioners all the power and authority given to the County Superintendent of Health and the County Physician, and they, alone, are given the power to make rules, regulations, etc., and to quarantine, cause people to be vaccinated, abate nuisances, but a health officer cannot do anything, and there is nothing in the charter in regard to health and sanitation that give any authority to delegate any powers whatever to anybody; they can only employ people to carry out the powers vested in the Board of Commissioners. Calling a man a health officer does not give him any power, unless there is some act of the Legislature prescribing his duties, fixing his compensation or tenure of office.

I could multiply decisions and authority if I had the time and inclination, but the reasoning in the Baltimore case is so pertinent and so applicable, that I deem it unnecessary to do more than to argue it out from reason, using the charter as the foundation and basis upon which to reach the conclusion that Dr. Reynolds, giving due consideration to the charter, is nothing more than an employee, or, as my brother Britt very forceably stated in a communication to the paper "a mere placeman", and not an officer. It seems to me that Mr. Pennell entirely overlooked and ignored the charter for he makes no motion of it. Yet it controls here.

I had collected a great number of cases pro and con, but inasmuch as I had not heard of the matter for some time, I supposed that the useless and needless agitation in regard to it had ceased, so, unfortunately, one day last week, in cleaning my desk, I destroyed them, and I haven't the time now to look them up again.

If the charter is to be ignored, and it is to be assumed that the Board of Commissioners can delegate any powers they have under the charter to anybody, and, thereby vest such appointee with full power and make him an officer, of course a different question would be raised, and there would be reasons for taking the view adopted by Mr. Pennell, but if, on the other hand, the charter gives no power to the health officer, but all powers are vested in the Board, and the Board chooses to exercise them through a health officer, and "such other officers and employments", everybody in the sanitary department would be within the prohibition of the old City charter, not only in the health department, but all other departments of the City. Simply calling a man an "officer" cannot make him one.

I cannot [illegible] the power to control the [illegible] Act, because the [illegible] Commissioners [illegible] of the City, and [illegible] with Mr. Pennell, [illegible] the commands [illegible] whether [illegible] treasurers and [illegible] where they live.

Very truly [illegible],

J. L. Bellamy

JLM-W

(Copy of Communication to Mayor Rankin)

January 7, [illegible]

Hon. Gallatin Rankin, Mayor
City of Asheville,
Asheville, N. C.

Dear Mr. Mayor:

I am just in receipt of letter from Mr. Pennell enclosing copy of Mr. Pennell's [illegible] Dr. Reynolds' office. I noticed something about it in the paper last week and had intended to write you [illegible] with regard to [illegible].

I recognize fully the difficulties surrounding this proposition and that it is a case where the Board could decide it, either way, and may and find abundant authority to sustain the decision.

I had a talk with Mr. Pennell after I [illegible], and I understood that we were to have a conference and [illegible] question of the matter, so that we could formulate, if possible, an opinion satisfactory to us both. I knew then, of course, that an opinion could be written on either side of the question, and good and sufficient reasons given therefor, and also knew that plenty of legal authority could be found to sustain either view. I supposed the matter had been dismissed or dropped. I had heard that it was not to be pressed, by any one, and as I was quite busy, I never took the trouble to do more than [illegible] a reason.

Mr. Pennell, without consulting me at all, has given an opinion as to what he thinks the law is. He is the legal adviser of the City, and has stated the [illegible], it is probable, Dr. Reynolds cannot actually be hold the position he fills.

I have just been informed that Mr. Pennell sent into your office with a copy of this opinion but [illegible] filed it for the purpose of giving it to me, or perhaps to talk it over with me, but I was absent. He certainly never [illegible] any opportunity to investigate the matter with him, and I had no idea that he was even at work on it.

It appears to me that, under any circumstances, and regardless of any views any attorney might express in the matter, the Board would undoubtedly take the advice of its regularly constituted legal adviser. I cannot see how it could hardly do otherwise without affront, therefore, it seems that it would simply be a work of supererogation for me to write a brief or opinion of my views in regard to the matter.

I never examined all the authorities cited by Mr. Pennell, but he seems simply to have [illegible] one side of the question and has not presented the other side at all [illegible] for your consideration. I [illegible] fully know that I can sustain the stand he takes by standard authority, and I also remember distinctly stating [illegible] case where the Superintendent of Public Schools in Baltimore was held to be an appointive office, and, in fact, that principle is recognized right here in Asheville, where you always go out of the City and employ engineers, bring them here and put them at the head of your public schools. Of course, a superintendent of public schools would fit the definition in Ward v. Stanley, cited by Mr. Pennell, and also the definition as given in Grave v. Darden. I recall, in authorities that I had, a case in [illegible] where it is expressly held that the municipal health officer was an officer within the meaning of a statute by prescribing in regard to eligibility of persons to fill the position.

I have no doubt that Mr. Pennell, in his research, found some of these cases, and [illegible] it is strange to me he would not [illegible] them, unless he was of the opinion that the weight of authority sustains the views announced in his letter, or was convinced in his own mind, from a research of all the authorities, that the opinion given by him is the law, regardless of the fact that others might have a very different view of the matter.

He lays no stress whatever -- in fact, does not mention the City Charter, as amended by the Act creating a commission form of government. He passes that by as a little inconsequent, while to me it seems vital and important.

I have not talked to Dr. Reynolds about the matter, nor he to me,

...nce I ... of ... ever. I have known, for a long time, that the only ... at all in regard to the matter was an ... promote the health of the City. It ... with him to establish a health ... for the ..., and often times I thought his recommendations impractic...

... that the Board can find a thoroughly competent ..., and I have my doubts whether they will ever ... and intensely interested in the welfare of the City, and we will take as much personal pride and ... as Dr. Reynolds has done during his ... office.

... is certainly no doubt but that he is a defacto officer by ... and his acts are valid. Nobody is contesting ... that; his ... removal, as far as I know, though, doubtless, he has ... of opinion in the enforcement of the law, and, as I told you ..., I ... that could happen, in many instances, ... to "fix it".

Wishing you a very happy and prosperous New Year, and with ..., I remain

Very sincerely yours,

J. G. Merrimon.

JGM-M

P.S.--As a matter of ..., more than anything else, I have examined ..., principally, the right of a de facto officer, where he ... color of title to the office, that is, has been elected or appointed by proper authorities, but may hold the office for some ... time, -- in this case -- all of his acts are valid and ... the public -- his right to the office cannot be attacked ..., by a ... action be taken to deprive him of the office of which he is not ... erly.

I do not recall whether Dr. Reynolds was elected or appointed for ... qualified portion of time. I do not know how the Board could get ... out, or what right it has to take action to get him out, except through the courts. It might declare the office vacant, but the ... disability exists, as it existed when he was elected, and has existed for ten or fifteen years, if such disability does, in fact, exist.

I have not ... to be a matter that the Board should pay much attention to ... existing circumstances. Dr. Reynolds is performing ... satisfactorily, I presume, as much so as anybody that ... He has been duly inducted in the office -- ... -- nobody has been elected to the place or is trying ... it. If my views of it are right, and there is no contract, he is nothing but an employee and could be discharged at any time, but ... he was not eligible at the time of this appointment certainly has no effect on his acts, nor the management of the office. ... could not be ... by the general public, except by a direct suit, which is not likely to occur.

Mr. W. M. Jackson appeared before the Board and filed claim for a new ... or ... in which alleging that one of the city's trucks hit the ... through Beaucatcher Gap just the other side of the ... in.

The ... of Public Works reported that he had had the matter investigated ... and was of the opinion that the accident in which Mr. Jackson's car ... was unavoidable, however, the matter was, on motion, taken under advisement, the Commissioners promising to give Mr. Jackson a definite answer at the regular meeting of the Board tomorrow.

One Harry Taylor, having file bond in connection with recommendation and court record now on file and ... approved by the City's Solicitor, it was ordered on motion, that he be granted a license to operate a public service automobile in the city.

On motion, the following building permits were granted:

Atlanta Show Case Co.	Repairs	47 Patton Avenue	estimated cost	$ 5,500.00
Lizzie Williams	1 Room	38 Mack Street	" "	55.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, January ..., 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding.

The minutes of the previous meeting read and approved.

Representatives of the T. B. Watkins Patent Climber Line Company were before the Board requesting information as to whether they would be required to pay a special license tax.

These gentlemen were informed if they expected to conduct a peddling business in the city they would be required to pay the tax imposed on such business.

The request that Wallace street be graveled was, on motion, referred to the Commissioner of Public Works.

The Commissioner of Public Works presented a plat showing a proposed sewer line in Hanover Street of approximately 275 feet in length which he estimated would cost in the neighborhood of $260.

On motion, the Commissioner of Public Works was authorized to have the work done and the sewer installed provided a petition asking for its installation is filed.

On motion, the Corporation Counsel was requested to furnish Mr. Ed. Wright, special agent for the city, with a legal agreement covering the donation to the city by interested property owners of a right of way for a sewer in the vicinity of Virginia Avenue.

The request of Mr. Z. V. Creasman for a street light to be located on the top of the hill at the intersection of Catholic Avenue, Gibbon Street and an alley directly in front of the Catholic Hill school was, on motion, granted and it was ordered that a 250 C. P. Tungsten light be installed at this location.

January 24th, 1922.

The Hon. Board of City Commissioners
Asheville, N. C.

Gentlemen:-

I respectfully ask you gentlemen to please have placed at the intersection of Catholic Ave. Gibbons St and Alley a street lamp. This being on top of hill and directly in front of intrance to Catholic Hill School. This will enable us to procede with out work much faster as we can haul materials at night and it will also be a protection to the public as this is a very dark place now.

Thanking you will act favorable on this, I am

Yours truly,

FP/avc

Z. V. Creasman

... 24TH.

This being the day, according to the city's advertisement, that bids were to be received for the construction of a concrete storm sewer on Coleman Avenue, the Clerk was instructed to ... and read all bids submitted; whereupon the following bids were read and canvassed:

R. C. Stevens

Reenforced Concrete Masonry, per cubic yard	23.77
Plain Concrete Masonry, per cubic yard	21.50

E. T. Belote

Reenforced Concrete Masonry, per cubic yard	22.40
Plain Concrete Masonry, per cubic yard	19.60

On motion, all bids submitted were taken under advisement.

On motion, the following building permits were granted:

J. S. Morris	4 room house	Swannanoa Avenue	Estimated cost	$ 2,400.00
City of Asheville School Building		Catholic Hill	" "	97,250.00
Mrs Bessie Willis Young	4 room Bungalow	3 Arden Road	" "	5,000.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, January 26, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

A Mr. Pressley appeared before the Board and called attention to the fact that in paving Choctaw Street no curb was placed on the south side thereof causing the surface water from Southside Avenue to flow across this street and into the basement of his building located on the intersection of Southside Avenue and Choctaw Street.

This matter, on motion, referred to the Commissioner of Public Works.

Attorney Fred Sale, representing the Haw Creek Development Company, appeared before the Board and stated that his client was now installing a sewer line in connection with a development on St. Dunstan Circle and asked that the city consider laying the necessary water line in the sewer ditches before same are filled.

In connection with the water line requested, Mr. Sale explained that the property owned has ample fire protection, a four inch line extending through it with two fire hydrants thereon, which are available from any part of the property, therefore, a two or two-and one-half inch water main is all that is necessary.

This matter, on motion, referred to the City Engineer and the Water Superintendent for investigation and report.

On motion, adjourned.

Secretary-Treasurer.

Friday, January 27, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding, Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

The request of Mr. Herbert Millard for permission to erect a one room frame building at the corner of Oak and College streets, estimated cost $50.00, was presented to the Board. A number of interested property owners residing on Oak Street and College Street in the vicinity of the proposed building were present and objected strenuously to the permit being granted on the grounds that a building such as it is proposed to construct will not only detract from the property near it but will tend, in a measure, to increase the danger to school children from traffic, being located directly at the crossing where all of the children cross to get to the school grounds.

Attorney Marcus Erwin, representing Mr. Millard, called attention to the fact the the building it is proposed to erect will not violate any of the city ordinances of state laws, being without the fire limits, and to the further fact that College Street is fast becoming a business street and the property utilized for business purposed, therefore in his opinion, the owners of residences in the vicinity of the proposed building will have to, sooner or later, give way to business structures.

This matter, on motion, referred to the Corporation Counsel for legal advice as to the power of the Board in the premises.

Attorney Zeb. F. Curtis, representing Dr. Jennie Lucena Spalding, was before the Board requesting an answer to the claim filed on account of personal injuries sustained by Dr. Spalding on Haywood Road some time ago.

Mr. Curtis was assured that the matter would be taken up with the Corporation Counsel and he would be given an answer at an early date.

The Chief of the Fire Department appeared before the Board explaining that the body of Robert Piercy, a former member of the Fire and Police Department of the City of Asheville, who died in [illegible], will arrive in the city tomorrow morning, and if the present plans of the Fire Department do not miscarry, will lay in state at the central headquarters tomorrow, a short memorial service being held at the hours of [illegible] and [illegible] o'clock, P. M. tomorrow afternoon. Mr. Duckett requested that the City Hall be closed during these services.

On motion duly seconded and unanimously adopted, it was ordered that the request of Chief Duckett be granted.

The report of the Secretary-Treasurer showing his investigation of the minutes of the proceedings of the Board of Aldermen of the Town of West Asheville with reference to the claim of D. S. Elias and S. D. Hall for exemption of certain paving assessments charged against property owned by them on Haywood Road between the Logan property and Brownwood Avenue was presented to the Board and, on motion, ordered filed.

(Copy of Report)

January 27, 1922.

Honorable Mayor and Board of Commissioners,
City of Asheville, N. C.

Gentlemen: IN RE: D. S. Elias and S. D. Hall
vs. City of Asheville.

In regard to the claim of Messrs. S. D. Hall and D. S. Elias for a rebate of assessments charged against certain lots on Haywood Road, between Logan property and Brownwood Avenue, we beg to advise that a search of the records disclose no minutes showing where the assessments were remitted by the Board of Aldermen of the Town of West Asheville, however, the parties interested contend that the remittance was made but not entered upon the minutes, and it is the opinion of the Corporation Counsel, that if they can convince you that the Board of Aldermen actually remitted the assessments and the Clerk failed to make proper record of same, you would have power and authority to make a remittance of assessments on this property and carry out the action of the Board of Aldermen of the Town of West Asheville nunc pro tunc.

Very respectfully,

F. I. Conder

SECRETARY-TREASURER.

CITY HALL --IMPROVEMENTS

On motion, of the Commissioner of Public Safety, duly seconded and unanimously adopted the Commissioner of Public Works was authorized to engage an architect to assist in estimating the cost of certain repairs to the City Hall

WEEKLY REPORTS

Reports from the Street, Street Cleaning, Health and Incinerator Departments, the Public Health Nursing Association, Sealer of Weights & Measures, City Plumber, Building Inspector, Plumbing Inspector and the Dog Catcher were read and, on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

C. H. Kirby	Garage	42 Lawrence Place	Estimated cost	$ 250.00
H. C. Jenkins	4 room House	Lyman Heights	" "	2,500.00
C. J. Daniel	Repairs	63 Tiernan Street	" "	150.00

On motion, adjourned

Secretary-Treasurer.

Saturday, January 28, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

[illegible]

The resolution declining and refusing to accept a forty foot strip of land (extension of Baird Street) located in an eastern direction from Sunset Drive along the south side of the Chunn property, was read to the Board and, on motion duly [illegible].

WHEREAS, the heirs of Sam'l Chunn in the development of his property lying North of Baird Street and East of Charlotte Street, in the City of Asheville, laid off and offered to dedicate to public use certain streets and alleys as shown on a plat by which the Chunn property [illegible] record; and,

WHEREAS, one of the proposed streets which said Chunn heirs offered to dedicate for public use was a strip of land forty feet in width, it being an extension of Baird Street as now located in an Eastern direction from Sunset Drive along the South line of the Chunn property; and,

WHEREAS, the offer to dedicate said forty foot strip of land as a street for public use has never been accepted by the City of Asheville, and said strip of land has never been opened or used for street purposes, public or private, at any time; and,

WHEREAS, on account of the fact that said strip of land if opened for use as a street would be so steep as to be of no practical value for street purposes, and there is no use or need for a public street at that location;

NOW, THEREFORE, Be it Resolved, by the Mayor and Commissioners of the City of Asheville, in regular session, that the offer to dedicate said forty foot strip of land for street purposes as aforesaid, be and the same is hereby declined and refused.

This January 28, 1922.

I move the adoption of the foregoing resolution,

R. J. Sherrill

Approved as to form:

Geo Pennell

Corpn. Counsel.

On motion, the following building permits were granted:

C. G. Shackelton	2-room Dwelling	110 Sunset Drive	Estimated cost $ 3,100.
Joe Randall	Garage	Horney Heights	" " 75.

On motion, adjourned.

Secretary-Treasurer.

Monday, January 30, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

[illegible]

Representatives of the Standard Oil Company, Mrs. Perkinson and other interested residents and property owners in the vicinity of the proposed building to be erected at the intersection of Oak Street and College Street were before the Board protesting to the granting of the permit [illegible].

The citizens [illegible] informed that the matter was of sufficient importance to be discussed by the entire Board with the Corporation Counsel and Superintendent of the City Schools and a motion to deny action until the return of Mayor Roberts on being duly seconded, was [illegible].

[illegible]

A petition [illegible] that Craven Street extending from Smith's [illegible] north along the French Broad River be put in [illegible] condition [illegible] Board and, on motion, referred to the Commissioner of Public Works.

(Copy of Petition)

TO THE HONORABLE MAYOR COMMISSIONER AND
BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

We, the undersigned citizens of Asheville, residents and tax payers and users of [illegible] street in said city, known as Craven Street, and particularly that portion of it extending from Smith's Bridge running practically due north with the meanders of the French Broad River to the city limits, do hereby most respectfully call your attention to the bad and defective condition of said street. The same is almost impassable and is in a disgraceful condition for a city the size of Asheville, and several of the undersigned citizens have suffered injuries to their automobiles because of the lack of attention and the failure of your Board to keep said street in good condition and repair so that it will be safe for the use of its inhabitants or of those entitled to and having occasion to use it, and we most respectfully petition that this condition be remedied at once; and, if the same is not and any damage occurs to any of the undersigned petitioners by reason of your failure to repair the same, this petition will be set up in court proceeding as a full and formal notice to your Honorable Body for its failure to perform the duties required of you by law.

Very respectfully,

Asheville Packing Co.
F. Zimmermann
Mrs. E. W. Eller
E. W. Eller
Mrs. F. Zimmermann
J. G. Anderson
J. A. Ridgers
C. C. Humphries
C. L. Felmet
J. M. Teague
C. F. Young
Burgin Pennell
Aaron Compton
C. F. Eckel
R. G. Moss
Z. Ballens
Dan Butler
Commercial Truck Service Station
Chas. Banks
Chas. D. Miller
Hayes-McCormack Co.
Swift & Co.
W. B. Westall

Bingham Military School
Mrs. R. T. Grinnan,
Mrs Robert Bingham
C. R. McKee
Mrs. [illegible] E. [illegible]
A. H. Green
Mrs. S. R. McKee
W. L. Puckett
Adams Grain & Provision Co
Geo. E. Lee
Brown, Cherry, Baird Co.
W. McKay
W. Menson
L. P. Rodgers
E. O. Garvin
Chas. H. Miller with
Asheville Const. Co.
W. B. Hopson
Matt Burleson
E. H. Smith
Ebbs. Bros. & Co.
M. C. Elkew

CARTER STREET--LIENS TO THE COLLECTOR

The City Engineer's report showing the total and pro rata cost to property owners of the construction of a certain concrete paving on Carter Street from Patton Avenue to Haywood Street, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection.

Length Ft.	824.5	
Width	20 ft.	
Cost Lineal Ft.		[illegible].2001.
Cost Square Ft		2.0667

[illegible] Yds. of Paving	@ 2.33	$ 4,278.11
[illegible] " " Overhaul	.10	23.00
[illegible] " " Port Excn.	.40	63.04
Force Account		61.00
Engineering		75.00
Inspection		60.00
Interest 3%		148.91
		4,709.06

Due E. T. Belote $ 4,425.15

[illegible] Yds. P. O. Port		3,341.44
[illegible] " 4" Straight Curb	@ .52	426.40
City Port Paving		1,367.62
		5,135.46

Assessed Property Owners

Lot No	Name	Feet	Price	Amt.
16	O. D. & C. E. Revel	117	2.0667	$241.80
17	W. M. Smith	105	"	217.00
19	Annie R[illegible]	94	"	194.27
[illegible]	Mrs. Susan R. Carter	110	"	227.34
[illegible]	Agnes R. Wilson	48.8	"	100.85
[illegible]	" " "	48.8	"	100.86
[illegible]	Estelle Webb	48	"	99.20
[illegible]	Mrs. A. T. [illegible]	82	"	169.47
[illegible]	Jennie L. Wooten	47	"	97.13
[illegible]	Rena L. Ingle	120.5	"	249.04
[illegible]	Wiley [illegible] Brown	133	"	274.87
7	J. M. [illegible]	60	"	124.00
7½	Mary J. Smith	50	"	103.33
8	C. H. Thompson	52	"	107.47
[illegible]	C. R. Brannon	50	"	103.33
[illegible]	Mrs. Susan R. Carter	178	"	367.87
[illegible]	C. H. Reeves	50	"	103.34
[illegible]	A. W. Faulkner	3[illegible].4	"	79.38
[illegible]	" " "	42	"	[illegible].80
15	" " "	42.3	"	87.42
117	C. I. Chance	100	"	206.67
				$3,341.44

On motion, the following building permits were granted:

F. F. Cole	[illegible] House	32 Bennett Street	Estimated cost	$1,200.00
F. C. [illegible]	Garage	Central Street	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, January 31, 1922-- 11 o'clock.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

J. H. BUCHNER-- [illegible]

On motion, it was ordered that the water rent charged against the property of J. H. Buchner in West Asheville and used by the West Asheville Fire Department be rebated.

[illegible]

The request that a policeman be stationed at the intersection of College and Oak Streets in front of the High School, between the hours of [illegible] and [illegible] A.M. and 3:15 and 4:15 P.M. to protect the children in crossing the streets, was, [illegible], referred to the Commissioner of Public Safety for investigation and report.

[illegible] COLLINS, [illegible]
[illegible] YOUNG, [illegible]

The resignation of Patrolman B. M. Collins was presented to the Board, and, on motion, accepted.

On the recommendation of the Commissioner of Public Safety, it was ordered, on motion, the Mr. T. M. Young be appointed patrolman to fill the vacancy caused by the resignation of Mr. Collins.

Asheville, N. C.
Jan. 30th, [illegible]

Capt. P. I. Fitzpatrick
Com. of Public Safety,
City of Asheville.

Dear Sir:

I hereby hand you my resignation as patrolman City of Asheville, to take effect at once. Thanking you for past favors,

Yours truly,

B. M. Collins.

[illegible]

On motion, the following building permits were granted:

R. A. Passe	Recover House	1[illegible] Holland Street	Estimated cost	$[illegible]
Jno. Robinson	Porch	[illegible]6 Scott Alley	" "	[illegible]

On motion, adjourned.

Secretary-Treasurer.

Wednesday, February 1, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

C. C. DEMAREE-- [illegible]

On the recommendation of the Commissioner of Public Works it was ordered, on motion, that C. C. Demaree be appointed city bacteriologist to fill the vacancy caused by the death of L. M. McCormack.

E. T. BELOTE-- [illegible]

The bid of E. T. Belote for the construction of a concrete culvert on Coleman Avenue being the best and lowest bid submitted, on motion of the Commission of Public Works, duly seconded and unanimously adopted, it was ordered, on motion, that the contract for the said work be awarded to Mr. Belote on his bid:

For Reenforced Concrete	$22.40
For Plain Concrete	19.60

[illegible]

One W. [illegible] Roberts, having filed bond, court record, doctor's certification and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

[illegible]

On motion, the following building permits were granted:

Allen G. Miller	[illegible] Residence	1[illegible]2 Vermont Avenue	Estimated cost $2,000.
[illegible]	Garage	13 Williams Street	" " 35.
Herbert Millard	Fruit Stand	Cor. Oak & College	" " 50.

On motion, adjourned.

Secretary-Treasurer

Thursday, February 2, 1922-- 11 o'clock, A.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

A request for a street light on French Broad Avenue between Patton Avenue and Philip Street was, on motion, referred to the Commissioner of Public Works.

[illegible]

The request of Messrs. [illegible] and S. D. Hall for an exemption of paving assessments charged against certain lots on Haywood Road in the vicinity of Brownwood Avenue was, on motion, referred to the Mayor for recommendation.

[illegible]

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that the Purchasing Agent be authorized and instructed to advertise for bids for the installation of certain water lines (list of said water lines of record hereinafter) to reenforce the present water supply system of the city.

Broadway and Merriman College to Chestnut	3200 ft. 12 in. main
Biltmore Ave. Valley St to [illegible] Hill Road	3700 ft. 10 in. main
Hillside Street Merriman Ave to Broadway	2800 ft. 10 in. main
Broadway to Pearson Drive [illegible] Drive	1850 ft. 10 in. main
Haywood Road Brevard Rd. to entrance to Burnlur Springs Rd.	1800 ft. 8 in. main
Sulphur Springs Road Haywood Road via Sulphur Springs Road to a point near Asheville School entrance	6820 ft. 6 in. main

[illegible]

On the recommendation of the Commissioner of Public Safety, the Mayor was, on motion, authorized to sign a contract with the American LaFrance Fire Engine Co. for the purchase of one Type 75, six cylinder, 105 H. P., 750 gallons per minute, Pumping engine, price $12,[illegible], F.O.B. Asheville.

(Proposition of American LaFrance Fire Engine Co.)

Asheville, N. C. Feb. 2nd, 1922

Mr. R. L. Fitzpatrick
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:-

Confirming our quotation of yesterday, will advise that we can furnish you our Type 3[illegible], four cylinder, [illegible] gallon per minute Triple Pumping Engines at $1[illegible], [illegible] Asheville, N. C.

Type [illegible], [illegible] cylinder, [illegible] H. P., [illegible] per minute, Pumping Engines at $[illegible], [illegible] each, F. O. B. Asheville, N. C.

The above prices [illegible] tires and complete equipment, to be specified [illegible].

[illegible] you a credit of $[illegible] for Reo and [illegible] cars, in connection with the above purchase.

Our [illegible] is regularly inspected by factory expert and is protected by a permanent guarantee as to material and manufacture.

Terms of payment will be arranged mutually agreed upon.

Respectfully submitted,

AMERICAN-LA-FRANCE FIRE ENGINE COMPANY, INC.
By P. O. Herbert Sr. Mgr.
By [illegible] Payne, Special Rep.

(Proposition of Western Carolina Auto Company)

January 30th. 1922.

City of Asheville, N. C.
Board of Commissioners,

Gentlemen:

We here by submit for approval a bid on the following equipment for the Fire Department.

2-AC Type 3, Triple Combination Pump Engines, Chemical & Hose Cars Complete as per specifications attached, Each @		$1[illegible]
Extra for Pneumatic Tires Each @		437.[illegible]
War Tax	Each @	27[illegible].75
Freight and Handling Charges	Each @	175.[illegible]
	Total Each,	10,891.75

If one unit is bought only, we agree to make an allowance on old REO Fire Truck of 500.00

If you decide to take two units as above specified we will also make an additional allowance on [illegible] Truck (on Solid Tires) of 891.75

The two jobs are to total F. O. B. Asheville, N. C. 21,783.50
Total allowance for two old Trucks 1,391.75
$20,3[illegible].75

Thanking you for permission of presenting this bid, we are

B:K

Very respectfully yours,
WESTERN CAROLINA AUTO COMPANY.

FIRE DEPARTMENT--[illegible]

The monthly report of the Fire Department showing the activities in that Department during the month of January was read to the Board and, on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

J. W. Shuler	4 room House	Tremont Street	Estimated cost	$ 1,500.00
L. A. Warren	7 room House	247 Patton Ave.	" "	2,500.00
A. C. Rhudy	6 room House	Maple Street	" "	3,500.00

On motion, adjourned

Secretary-Treasurer.

Friday, February 3, 1922-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The Commissioner of Public Works presented a map or plat which was, on motion, [illegible] claims and damages on account of the proposed condemnation of land necessary for a right of way for certain sewer lines which it is proposed to lay on the north side of Haywood Road in that section of the city known as West Asheville.

On motion, Mr. E. P. Wright was appointed special agent for the city to confer with interested property owners in an effort to reach an agreement with reference to the right of way for the sewer lines as outlined above.

CORNELIA STREET--PETITION TO PAVE.

A petition requesting the paving of Cornelia Street between the northern margin of Hillside Street and the southern margin of Annandale Avenue was presented to the Board and, on motion, referred to the City Engineer for investigation as to the frontage and property owners represented thereon.

ROTARY CLUB--CAMPING GROUND FOR AUTO TOURISTS.

A resolution adopted by the Rotary Club of Asheville recommending and requesting that the Womens Training Camp be converted into a temporary camping ground for auto tourists, was read to the Board and, on motion, ordered filed.

Whereas, the site of the Womens Training Camp, on the Swannanoa River, near the City of Asheville, was prepared and built at the cost of many thousands of dollars to the tax payers of the city, and,

Whereas, the same is not to be longer utilized for the purpose for which it was constructed, and Asheville lacks sufficient facilities for the recreation, entertainment and amusement of tourists, and especially auto tourists.

Therefore, Be It Resolved, that the Asheville Rotary Club favor the conversion by the city of Asheville of the said site of the Womens Training Camp into a temporary camping ground for such auto tourists as may desire to use the same during the summer of 1922.

Be it Further Resolved, that the Commissioners of the city of Asheville be requested to put in effect this improvement; that the said grounds be arranged for camping purposes, that due publicity of the same be given through the Press, that the city be requested to make rule and regulations for the control and management of said Camp Grounds, with proper officers in charge, and that a schedule of fees be arranged to be charged campers, the proceeds of which shall be used to pay the expenses of maintaining and operating the same.

Endorsed by the Rotary Club of Asheville in session at the Battery Park Hotel February 2nd, 1922.

Emmet E. Galer Secretary
Rotary Club of Asheville.

Reports from the Building Inspector, Electrical Inspector, Plumbing Inspector, Sealer of Weights & Measures, City Plumber and the Dog Catcher were read and, on motion ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

John D. Miller	7 room House	69 Madison Avenue	Estimated cost	$3,500.00
Dora Heverman	Garage	7 Vermont Street	" "	125.00

On motion, adjourned

Secretary-Treasurer.

Saturday, February 4, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

BUFFALO STREET --

A petition requesting that repairs be made to the lower end of Buffalo Street was presented to the Board and, on motion, referred to the Commissioner of Public Works.

West Asheville, N. C.
Feb. 3, 1922

To the Board of commissioners.

We the citizens of West Asheville are asking the board of commissioners to consider the lower section of Buffalo St., in West Asheville, it is impossiable to get in and out.

Our Signature.

John C. Charis	Cherley Murdock
Thomas M. C. Mickens	Julia Meteolf
Nettie Mickens	Harrison Beatty
J. E. Moon	George Barton
Mathew Petterson	O. S. Smith
Ottis Hall	M. C. Fornge
William Dickey	Rev. [illegible] W. Dixon
D. J. Mitchell	Calvin Roberts
Walter Bruell	Ervine Mitchel
I. C. Bell	T. R. Chavis

[illegible]

A report showing the cash collections from the Department of Public Safety during the month of January was read to the Board and, on motion, ordered filed.

On motion, adjourned.

Secretary-Treasurer

Monday, February 6, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

DR. R. S. CARROLL-- [illegible]

A report from the Building Inspector stating that in company with the City Engineer he had examined the wall on Broadway on the property of Dr. Robt. S. Carroll and found same in a very dangerous condition was presented to the Board, and, on motion, ordered filed; the Mayor stated that a resolution instructing Dr. Carroll to either take the wall down or make it safe immediately was now being prepared.

February 6th, 1922

The Hon. Mayor and Commissioners,
Asheville, N. C.

Gentlemen:

The stone wall on Broadway on the property of Dr. Robt. S. Carroll is in a very dangerous condition and ought to be taken down at once. City Engineer Lee and myself have examined this wall and find it very dangerous. I have notified Dr. Carroll of the condition of the wall and requested him to take it down or make it safe.

Youre very truly,
F. F. Howell
City Building Inspector

FFH/J

WATER RENT REFUNDS

On motion, the following refunds of water rents were allowed:

Mrs. J. R. Monroe	12 Penn. Street	Rebate allowed	.70
S. Forney	71 Madison	" "	1.30
S. L. Gathier	70 Washington Road	" "	3.77
Mrs. H. E. Foster	27 Oak Park Road	" "	1.47
Winford Hayes	72 Hanover Street	" "	.39
E. F. Wilson	177 Hill Street	" "	1.55

Dr. C. P. Edwards	397 Montford Ave.	Rebate Allowed	$5.74
C. G. King	3 Hill Street	" "	1.92
W. H. McLean	352 So. French Broad	" "	1.35
Mrs. J. W. Hall	20 Beavercroft Road	" "	2.04
H. W. Shannon	134 Biltmore Avenue	" "	1.72
G. W. Ledbetter	154 Southside Avenue	" "	10.36
W. W. Pennard	147 Chestnut Street	" "	3.60
James Haynes	50 West Street	" "	1.57
Dr. C. H. Cocke	144 Flint Street	" "	1.05
O. C. Mills	45 Elizabeth Street	" "	5.47
Dr. H. B. Osborne	7 Montford Park Pl.	" "	2.92
L. T. Fisher	40 Starnes Avenue	" "	2.05
Temple Avery Estate	26 Pearson Drive	" "	6.39
Mrs. L. E. Baker	Pearson Drive	" "	2.25
A. G. Warnell	171 Charlotte Street	" "	.57
L. Hunt	45 Brick Street	" "	1.42
Cora Tolrumple	27 Hilderbrand St.	" "	3.25
S. J. Jackson	134 Eagle Street	" "	1.72

On motion, the following building permits were granted:

Ed. Williams	Recover House	20 Southside Avenue	Estimated cost	$ 65.00
T. McR. Mason	5 room House	Horney Heights	" "	4,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, February 7, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A request for a street light in South Asheville was, on motion, taken under advisement, it being explained to the party making the request that at present there was no arc circuit available to that section of the city and that it would, therefore, be necessary to set additional poles and run a line about 2500 feet to furnish the light requested.

It was suggested that if the parties interested in securing this light would take the matter up with the Electric Company and endeavor to get a line to furnish electricity to their residences it would probably be very little trouble to then secure the arc circuit.

Upon the recommendation of the Commissioner of Public Works, it was ordered, on motion, that one C. M. Limpkin be appointed Sanitary Inspector for West Asheville to fill the vacancy caused by the resignation of Mr. W. R. Reynolds.

The Mayor reported that an agreement by and between the City of Asheville and interested property owners with reference to a right of way for a proposed sewer line on Virginia Avenue had been filed and approved by the Corporation Counsel and would be recorded.

A resolution declaring the rock retaining wall erected on the western margin of Broadway on the property of Robt. S. Carroll to be a nuisance and a menace to residents, citizens and inhabitants of Asheville and ordering the said Robt. S. Carroll to abate said nuisance within forty-eight hours was presented to the Board, and, on motion, duly seconded unanimously adopted.

RESOLUTION DECLARING NUISANCE
ROCK RETAINING WALL ROBERT S.
CARROLL ON WEST MARGIN BROADWAY.

WHEREAS, the Building Inspector of the City of Asheville has reported to the Board of Commissioners that the rock retaining will, located on the property of Robert S. Carroll, on the edge of the western margin of Broadway is in a defective and dangerous condition, by reason of faulty construction, and is now and has been for some time, a serious menace to passersby on the street aforementioned.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That the rock retaining wall located on the western margin of Broadway, and being on the property of Robert S. Carroll, be and is hereby declared a nuisance and a menace to the residents, citizens and inhabitants of the City of Asheville, and that the said Robert S. Carroll is hereby ordered to abate said nuisance within forty-eight hours after 12 o'clock, M. the day of the passage of this resolution.

I move the adoption of the foregoing resolution, this the 7th

day of February, [illegible].

R. J. Sherrill,
Commissioner.

Approved as to form:

Geo Pennell
Corporation Counsel.

A resolution authorizing the Mayor-Commissioner of Public Accounts and Finances to prepare and issue negotiable coupon bonds of the City of Asheville was presented and, on motion duly seconded, unanimously adopted.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That the Mayor-Commissioner of Public Accounts and Finances be, and he is, hereby authorized and instructed to prepare and issue the following negotiable coupon bonds of the City of Asheville:

$200,000 Refunding Bonds to take up and pay for $200,000 Water Bonds, dated April 1, 1902 and maturing April 1, 1922.

$150,000 Street Improvement Bonds to pave and repave certain of the principal thoroughfares of the city.

$65,000 Water Bonds to supplement and increase the present water supply system of the city.

$65,000 Sewer Bonds to supplement and increase the present sewerage disposal system of the city.

$40,000 Incinerator Bonds to increase and supplement the present plant for the incineration of trash and garbage.

$25,000 Fire Department Bonds to pay the cost of the erection and equipment of the Bartlett Street Fire Station.

I move the adoption of the foregoing resolution, this the 7th day of February, 1922.

R. J. Sherrill

Commissioner.

A communication from W. Banks Meacham, D. O. requesting permission to lay a 4 inch water main, at his expense, approximately 2000 feet from Grace to his sanitarium, Ottari, solely for increased fire protection, was presented to the Board and, on motion of the Commissioner of Public Works, duly seconded and unanimously adopted, it was ordered that Dr. Meacham be granted the permission requested provided the said line is to be installed entirely at his expense, the water is to be used solely for fire protection and the City reserves the right to discontinue same in its discretion.

February 6, 1922

Commissioner R. J. Sherrill
City Hall,
Asheville, N. C.

Dear Sir:

I desire permission from the Commissioners of Asheville to lay a four-inch water main approximately two thousand feet from Grace to my Sanitorium Ottari.

This main is to be laid entirely at my expense and for my personal use. The one-inch pipe now delivers all the water I can use. The new main is solely for the increased fire protection to my property and to my patients.

Very respectfully yours,

WBM/RJ

W. Banks Meacham, D. O.

The application of O. D. Revel for a permit to construct a garage on West College Street at a cost of approximately $5,000, was on motion of the Commissioner of Public Works duly seconded and unanimously adopted, held up pending an investigation. The Commissioner stating that numerous objections had been filed with him personally and he thought that interested parties should be given a chance to present their objections in the proper manner.

Mr. E. . Wright, Special Agent for the City, reporting that he had been unable to come to any agreement with interested property owners with reference to securing a right of way for the proposed sewer lines to be constructed on the North side of Haywood Road in that section of the city known as West Asheville, the Mayor was, in writing, authorized to issue his writ for a jury to condemn the necessary land for said right of way.

February 7th, 1922.

To the Honorable Mayor and
Board of Commissioners,
Asheville, North Carolina.

Gentlemen:

With reference to the proposed construction of sewer lines north of Haywood Road in West Asheville, I beg to advise that I have conferred with interested property owners in an effort to secure a right- of-way for said sewer lines, and have been unable to come to any agreement whatever.

Respectfully submitted,

E. B. Wright, Special Agent.

On motion, the following building permits were granted:

Dr. Jos. F. Baker, Jr	10 room House	Haywood Road	Estimated cost	$5,000.
Carrie Summer	4 room House	Swannanoa Ave.	" "	2,200.
C. B. Slagle	Repairs House	50 Chestnut Street	" "	125.

On motion, adjourned.

Secretary-Treasurer.

Wednesday, February 8, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A petition requesting the paving of First Street between Church Street and Pine Street was presented by Dr. Coxe.

On motion, the matter was ordered referred to the City Engineer for investigation and advice as to the number of property owners and front footage represented thereon.

Attorney J. Y. Jordan, Jr., representing Mr. Harry Norvich, was before the Board relative to a building permit covering the construction of a garage on West College.

Mr. Jordan called attention to the fact that his client stands to lose considerable if the matter is held up for any appreciable length of time and requested that the Board set a time to hear and decide the matter.

On motion, it was ordered that the matter of the request for permission to erect a garage on West College be set as a special order of business to be taken up at the regular meeting of the Board of Commissioners on Friday, February 10 at 11 o'clock.

Engineer Neal appeared before the Board and called attention to the necessity of widening West Haywood Street and other streets in that vicinity, stating that these streets were at present only twenty feet wide.

This matter, on motion, referred to the Commissioner of Public Works.

File No. Mad
Letters

A petition, signed by citizens and property owners on Max Street, requesting that the street light now located on said street in front of the property owned by one Sanford be moved a distance of about forty feet South of its present location, was presented and, on motion, referred to the Commissioner of Public Works for investigation and report.

(Copy of Petition)

TO THE HONORABLE MAYOR, COMMISSIONER AND
BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:-

We, the undersigned, citizens, tax payers and residents of the city of Asheville residing on Max Street in said city, hereby respectfully petition your Honorable Board that the Street Light located on said street, being in front of the property owned by one Sanford, be moved and placed at a distance of about forty (40) feet South from its present location. The request for the change of the aforementioned light is made for the reason that two lights upon said street are within a very close distance of each other and the extreme Southern portion of said street has no street lights whatsoever.

very respectfully,

George C. Justice	C. H. Chisolm
Geo. W. Jackson	H. Caplan
Wallace Houston	Robert Ward
J. H. Young	Ames Alexander
Mrs. E.R.Russell	Mr. E. Fair
Mr. Jacob Gilmore	Mrs Amanda Wilson
Mr. Thomas Garrett	Mrs. Cannie Rice
Mrs. V. A. Garrett	Rev. W. M. Adams

BUILDING PERMITS

On motion, the following building permits were granted:

A. L. McLean	Block of Store Rooms	Bartlett & Depot Sts.	Estimated cost	$24,000.-
White and Teasley	1- 3 rm. House 2- 4 rm. Houses	Madison Avenue	" "	2,500.-

On motion, adjourned.

Secretary-Treasurer.

Friday, February 10, 1922-- 11 o'clock, A. M.

GARAGE, W. COLLEGE ST.

This being the day, according to the order of the Board, that the matter of the request of Creasman & Company for a permit to erect a garage on West College Street was to be taken up and discussed, the Mayor presented a petition signed by occupants of buildings in the vicinity of the proposed garage, asking that the permit be refused and requesting that the Board pass an ordinance prohibiting the erection, construction or maintenance of any garage or other place to be used for business purposes which will be especially hazardous as a fire risk in the vicinity of Patton Avenue and adjacent thereto.

Mr. S. Lipinsky called attention to the fact that although he and Mr. Rayson had gotten up the petition, this was an impersonal matter, that they could not sit idly by and see the construction of something that would prove a dangerous fire risk and thereby jeopardize the whole of Patton Avenue. Mr. Lipinsky offered as proof that the proposed business would be extremely hazardous as a fire risk, the fact that its construction would immediately increase the insurance rates on adjacent buildings. He further stated that if the Board had any doubts of its ability to legally pass an ordinance prohibiting such businesses, that the matter be postponed and discussed with the Corporation Counsel.

He further called attention to the fact that College Street, on which the proposed building will front is a very narrow street and a garage would greatly increase the present congested traffic conditions thereon. Mr. Lipinsky advised that he wished to serve notice that if the Board saw fit to grant the permit as requested the said Board and the City of Asheville would be held liable in case of a fire originating therefrom, as said Board had been put on notice that the business it is proposed to operate would constitute a dangerous fire hazard.

Attorney J. Y. Jordan, Jr., representing the owner of the building it is proposed to construct, contended that if his client complies with the law regulating construction within the fire limits, which he intended to do, the Board had no legal right to refuse to grant the permit requested.

When advised by the Mayor that the question before the Board was whether or not the Board could refuse to grant a permit for the operation of a garage at this particular point, on the grounds that same would constitute an extremely dangerous fire hazard, Mr. Jordan replied that this was a matter for the courts, that court was now in session and remedy of opponents to the permit requested is in the court in the way of an injunction proceeding.

After some considerable discussion, it was suggested to Mr. Jordan that his client select an architect and let him submit to the Board plans and specifications covering the building it is proposed to erect in order that the Board might have actual information as to the kind of construction contemplated. Mr. Jordan agreed to do this, and the matter was, on motion, taken under advisement in order that the Board might view the plans and specifications and obtain legal advice from its attorney.

(Copy of Petition).

February 8, 1922.

To the Honorable Mayor Commissioner and Board of Commissioners,
City of Asheville,
North Carolina.

Gentlemen:

We, the undersigned tax payers, residents and voters of the City of Asheville, having business interests on Patton Avenue and adjacent streets thereto, earnestly respectfully petition your Honorable Board to immediately pass an ordinance prohibiting the erection, construction or maintenance of any garage or other place to be used for [illegible], which will be especially hazardous as a fire risk, for that the highest business interests in Asheville are operated on the street and territory [illegible], in which over two million dollars are invested, and which is the center of the business activity of the city, and that said property demands the utmost protection from fire hazards.

Very respectfully,

C. A. Dagger, [illegible] Patton Ave.
[illegible], C. Kimbrough
[illegible] Co., Wm. M. [illegible], Mgr.
[illegible], Mr.
[illegible] Co.
[illegible] Grand Theatre by Mr. Cooper
W. T. Weaver & Co.
[illegible] Drug Store, J. A. Goode
[illegible] First Bank, C. Rankin, V. Pres.
[illegible], Asheville, N. C. by Jno. A. Campbell
[illegible]
[illegible] Chambers
[illegible]
Lowenstein, Rosenberg Co.
Patton Ave. Corporation owners of the Don March building
C. C. Millard, V. Prest.
[illegible], owner of 33 Patton Avenue
[illegible] Oakland, Temple Court Bldg.
Spears Route by S. C. Reynolds-41-43 Patton Ave. 39 Patton also College St.
[illegible] C. Reynolds, by Geo. S. Reynolds, 17 Patton Avenue & W. College St.
[illegible] Building, by W. Smith
[illegible]-McDuffie Hardware Co.

Mr. Geo. F. Curtis, representing the Modern Woodmen, appeared before the Board and requested permission to hold a carnival in the city some time in March in connection with the Spring Festival to be given at that time by said organization, however, on being informed that the [illegible] was $400.00 per week, Mr. Curtis withdrew his request pending further consultation with the members of the organization.

A petition from the Asheville Band Association was presented and, on motion, received.

(Copy of Petition)

Asheville, N. C.
February 10, 1922.

To the Honorable Mayor and Board of Commissioners of the City of Asheville, North Carolina.

Gentlemen:

The Asheville Band Association, by and through its proper officers, [illegible] hereto attached, herewith submits [illegible] petition to the municipality of Asheville for the [illegible] of public band concerts during the summer season of 1922:

1. The Association offers, for the consideration hereinafter mentioned, not less than eight, four band concerts, said concerts to [illegible] March 1, 1922, or upon such date in the month of June as may be designated by the Board of Commissioners; one concert to be given every [illegible] of each week, beginning at eight o'clock P. M. each day except Sunday and on each [illegible] concert of not less than twelve selections to be rendered, the place will be given at such time as will least conflict with [illegible] services being held in the city. The place for holding said concerts shall be Aston Park; PROVIDED, HOWEVER,

1. One concert each week during the said season shall be given in West Asheville in lieu of that at Aston Park;

2. The Board of Commissioners may from time to time designate such public [illegible] as it may deem appropriate, for the convenience of the band, [illegible] of the evening concert, [illegible] of the band for the purpose of [illegible] two [illegible] of the band.

3. The band shall be composed of not less than forty pieces and its members shall be [illegible] of residents and citizens of the city of Asheville, the said members shall be in good standing with the American Federation of Musicians, which is affiliated with the A. F. of L. Federation of Labor of the United States of America, and shall be properly clothed at the time of all concerts in neat and [illegible] uniforms.

3. This Association proposes to render concerts including classical and popular music of high grade and type and of such character as will promote a [illegible] appreciation in the city of Asheville and the Sunday Sacred [illegible] shall consist of numbers appropriate to the day.

4. The consideration for furnishing the said concerts shall be in addition to a sum appropriated by the Asheville Community Chest for the said purpose, the sum of four thousand dollars ($4,000.00) to be [illegible] the Board of Commissioners [illegible] available for the [illegible] specified, which sum shall be paid to the Asheville Band Association in weekly instalments of one hundred and twenty five dollars each, the first instalment to be paid on the [illegible] day of June, 1922.

Respectfully submitted

ASHEVILLE BAND ASSOCIATION
By F. C. Stedman, President
Emmett V. Miller, Secretary

NEW BUSINESS

The request of Mr. [illegible] that Fifth Avenue be graded [illegible] Michigan Avenue was, on motion, referred to the Commissioner of Public Works. It was also the request that cinders or sand be placed on Michigan Avenue.

Mr. Cash's request that the dirt be cleaned off of the sidewalk on Fourth Avenue was, on motion, referred to the Commissioner of Public Safety with request that he [illegible] in such cases made and provided, enforced.

[illegible] SEWER.

On motion, it was ordered that the [illegible] against the property of Dr. I. E. McGregor on account of the construction of a sewer in Dewey Street [illegible] be exempted for the reason that the sewer passes directly through Dr. McGregor's lot and is of no benefit to the property.

[illegible]

The City Engineer's report showing his investigation of petitions requesting the opening of Cornelia and Pinet Street was presented to the Board and, on motion, ordered filed.

REPORTS

Weekly reports from the Street, Street Cleaning, Health and Incinerator Departments, the Public Health Nursing Association, Electrical Inspector, Plumbing Inspector, City Building Inspector, Sealer of Weights and Measures City Plumber and Dog Catcher were read and, on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

J. L. Fitzgerald	5 room Residence	Woodfin Place	Estimated cost	$ 4,[illegible].00
J. W. Shroat	Garage	214 Patton Avenue	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, February 10, 1922--11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

With reference to the application of Creasman & Co. for permission to erect a building to be used as a garage on West College St., Attorney J. Y. Jordan, Jr., representing Mr. Harry Norvick the owner thereof, was before the Board and explained that the reason plans and specifications has not been submitted was due to the fact that if his client employed an architect and had plans and specifications drawn and then failed to get a permit, he would be creating [illegible]. Mr. Jordan contended that his client, expecting to comply with the building laws, was entitled to a permit for the erection of the building, and that the question of utilizing the building for a garage was purely a question of the courts. He called attention to the fact that at the present time there are a number of garages within the Fire limits in nonproof buildings and in many instances the upper stories of such garages are utilized as sleeping quarters.

Mr. C. A. Rayser, one of the opponents to the granting of the permit, explained that he and his associates were not objecting to the erection of the building, their objections being to the contemplated use of the building as a garage.

After some discussion, this matter was taken under advisement, in order that the Board might have ample time to determine its attitude with reference to garages operated within the Fire limits of the city.

[illegible]

The request of Mr. J. [illegible] Angel that Alabama Ave. be graded between Hanover St. and Michigan Av., was on motion, referred to the Commissioner of Public Works.

[illegible]

On motion, the Purchasing Agent was authorized and instructed to advertise for bids returnable February 23, for repairing and enlarging the existing Incinerator plant of the city in accordance with general specifications now on file in the office of the City Engineer, the city reserving the right to reject any or all bids.

On motion, the following building permits were granted:

Fred Monk	Repairs	116 Ora St.	Estimated cost	$80.00
Fred Monk	"	118 Ora St.	" "	50.00

On motion, adjourned.

Secretary-Treasurer.

Monday, February 13, 1922-11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on account of illness. The minutes of the previous meeting were read and approved.

[illegible]

On motion, it was ordered that the Purchasing Agent be authorized and instructed to extend the time of receiving bids on increasing and extending the present water supply system of the city until February 27, 1922.

[illegible]

On motion, the following building permits were granted:

Zeb. V. Nettles	5-Rm. Bungalow	234 Montford Ave.	Estimated cost	$7,000.00
W. M. Banks	Store Building	437 Broadway	" "	2,000.00
Singer Co.	Remodel Store	4 N. Pack Square	" "	150.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, February 14, 1922, 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on account of illness. The minutes of the previous meeting read and approved.

[illegible]

The request of Mr. Emery McLean for a street light on Landale Avenue was, on motion, referred to the Commissioner of Public Works.

[illegible]

The requisition of the Water Department for a new adding machine was, on motion, taken under advisement; the Water Superintendent being instructed to take the matter up with the Purchasing Agent.

[illegible]

Attorney J. Y. Jordan, Jr., representing Mr. Harry Norvick, was again before the Board with reference to the request of Creasman & Company for permission to erect a garage on West College Street.

It was explained to Mr. Jordan that the Board had absolutely no right to refuse to grant a permit for the erection of a building, however, he was put on notice that should the Board decide to draft and pass an ordinance regulating or prohibiting the construction of a garage within certain zones, such an ordinance would undoubtedly apply to his client.

On Mr. Jordan's statement that he thoroughly understood that if an ordinance was drafted zoning the city and regulating the construction of garages in certain zones and no one was discriminated against, should his client happen to be within one of the zones his business would have to be conducted in accordance with the provisions of such ordinance. It was ordered, on motion, that the request of Creasman & Company for a permit to construct a concrete building on West College Street be granted.

[illegible]

The following ordinances authorizing the issuance of City of Asheville bonds were presented to the Board and, on motion duly seconded passed on their first reading:

1. An Ordinance authorizing the issuance of $200,000 Refunding Bonds.
2. An Ordinance authorizing the issuance of 25,000 Fire Department Bonds.
3. An Ordinance authorizing the issuance of 40,000 Incinerator Bonds.
4. An Ordinance authorizing the issuance of 65,000 Water Bonds.
5. An Ordinance authorizing the issuance of 65,000 Sewer Bonds.
6. An Ordinance authorizing the issuance of 150,000 Street Improvement Bonds.

[illegible]

The report of the City Engineer showing his investigation of the request of the Haw Creek Development Company for the installation of water lines in connection with its development at St. Dunstan Circle was presented to the Board and, on motion, ordered filed.

Feb. 9th, 1922

The Hon. Mayor & Commissioners,

Gentlemen: Some eight or ten days ago I went with the Water Supt. to see where the Haw Creek Development Co. wished the City to lay 2" water pipe in sewer ditches. As the sewer ditches were not open at that time, I could not tell the length of pipe needed, as there was no one there to show me.

I have since received a map from the company showing where the sewers are to be located, and from this map I find the length to be about 2165 feet. The water pipe will have to be some two hundred feet longer than the sewer, to connect with the water mains. I see no objection to laying the water pipe in the sewer ditches, after they are partly filled.

Very respectfully,

B. M. Lee City Eng.

[illegible]

On motion, the following building permits were granted:

[illegible] L. M. Brinson	Repair Porch	131 Blanton Street	Estimated cost	$ 100.00
[illegible] Smith	1 room addition	85 Short Starnes	" "	300.00
[illegible] Warren	8 room House	798 Haywood Road	" "	7,500.00
[illegible] Warren	Repairs	Ravencroft	" "	1,000.00

On motion, adjourned

Secretary-Treasurer.

Wednesday, February 15, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Fitzpatrick absent on account of illness. The minutes of the previous meeting were read and approved.

[redacted]

Ordinances authorizing the issuance of $200,000 Refunding Bonds, $65,000 Sewer Bonds, $65,000 Water Bonds, $25,000 Fire Department Bonds, $150,000 Street Improvement Bonds and $40,000 Incinerator Bonds, having been passed on their first readings at the regular meeting of the Board on February 14, 1922, pursuant to Section 2943 of the Municipal Finance Act, the Mayor presented a sworn statement of the indebtedness and assessed valuation of the City for the consideration of the Board before the final passage of said ordinances and same is as follows, to-wit:

Commissioner Sherrill, duly seconded and unanimously adopted, the Financial Statement as presented and ordered filed in the office of the Secretary-Treasurer for inspection by interested citizens and tax payers.

City of Asheville, N. C.

Sworn Statement of Indebtedness Compiled in Accordance with the Municipal Finance Act and filed with the Clerk by the Mayor-Commissioner of Public Accounts and Finances of said City, after the Introduction and before the final passage of Bond Ordinances authorizing the issuance of $200,000 Refunding Bonds, $150,000 Street Improvement Bonds, $65,000 Water Bonds, $65,000 Sewer Bonds, $40,000 Incinerator Bonds and $25,000 Fire Department Bonds.

Sec. 2943

"A"	The Gross debt (not including debt incurred or to be incurred in anticipation of the collection of Taxes or in anticipation of the sale of Bonds other than Funding or Refunding Bonds.)			
"A-1"	Outstanding debt incurred before Dec. 4, 1901, not evidenced by bonds			15,668.27
"A-2"	Outstanding Funded Debts			3,562,000.00
"A-3"	Bonded debt to be incurred under ordinances passed or introduced:			
	Street Improvement Bonds		150,000.00	
	Water Bonds		65,000.00	
	Sewer Bonds		65,000.00	
	Incinerator Bonds		40,000.00	
	Fire Station Bonds		25,000.00	
	Refunding Bonds		200,000.00	
				545,000.00
	Total Gross Debt			4,122,668.27
"B"	The Deductions to be made from Gross Debt in computing net debt, are			
"B-1"	Amount of unissued funding or refunding bonds included in gross debt	200,000.00		
"B-2"	Amount of Sinking Funds or other funds held for payment of any part of the Gross Debt other than debt incurred for water, gas, electric light, or power purposes or two or more of said purposes	78,969.79		
"B-3"	The Amount of uncollected special assessments heretofore levied on account of local improvements for which any part of the gross debt was or is to be incurred which will be applied, when collected, to the payment of any part of the gross debt			184,973.38
"B-4"	The amount, as estimated by the City Engineer, of special assessments to be levied on account of local improvements for which any part of the gross debt was or is to be incurred and which, when collected, will be applied to the payment of any part of the gross debt:			
	Street Improvement Bonds	150,000.00		
	Sewer Bonds	25,000.00		
				175,000.00
"B-5"	The amount of bonded debt included in the gross debt and incurred or to be incurred for water, gas, electric light or power purposes, or two or more of said purposes:			
	Incurred	784,[illegible].00		
	To be incurred	65,000.00		
			7[illegible]	
"C"	[illegible]			
			4,122,668.27	4,122,668.27
"D"	The Assessed Valuation of property as last fixed for municipal taxation			55,003,783.00
"E"	The percentage that the net debt bears to said assessed valuation		4.99%	
"E-2"	Debt limit 8% of Net Debt	55,003,783.00		4,400,302.64
	[illegible]		2,742,735.10	
	[illegible]		1,[illegible]	
			4,400,302.64	4,400,302.64

...d this the ... day of February, 1922.

STATE OF NORTH CAROLINA }
COUNTY OF BUNCOMBE } ss.
CITY OF ASHEVILLE }

Gallatin Roberts, being duly sworn, deposes and says that he is the Mayor-Commissioner of Public Accounts and Finances of the City of Asheville, North Carolina, and the Chief Financial Officer of said Municipality, and that the foregoing statement is true and was made and subscribed by him after the introduction and before the final passage of the ordinances referred to in the caption of said statement.

Mayor-Commissioner of Public Accounts and Finances.

Sworn to and subscribed before me on the day and date of said statement.

Notary-Public

My Commission expires on the ____day of _____19__

STATE OF NORTH CAROLINA }
COUNTY OF BUNCOMBE } s
CITY OF ASHEVILLE }

I, W. I. Cocker, Secretary-Treasurer of the City of Asheville, North Carolina, do hereby certify that the foregoing statement and accompanying affidavit were filed in my office on the day of the date of said statement, after the introduction and before the final passage of the ordinances referred to in the caption of said statement.

In witness whereof, I have hereunto set my hand and affixed the official seal of said Municipality, this the ...th day of February, 1922.

Secretary-Treasurer.

...

Ordinances authorizing the issuance of $200,000 Refunding Bonds, $65,000 Sewer Bonds, $75,000 Water Bonds, $21,000 Fire Department Bonds, $159,000 Street Improvement Bonds, and $40,000 Incinerator Bonds of the City of Asheville were presented and on motion duly seconded unanimously adopted, passed on their second reading.

On motion, the rules were suspended, these ordinances placed on their third and final reading, passed and were declared effective in accordance with the provisions thereof.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $200,000 REFUNDING BONDS.

WHEREAS, with the consent of a majority of the qualified and registered voters of the City of Asheville, at an election, held on January 14, 1902, there was issued by the Board of Aldermen of said city, $200,000 Water Bonds, under date of April 1, 1902, which said bonds constitute binding and valid obligations of the City of Asheville, and become due and payable on April 1, 1922; and

WHEREAS, the City of Asheville is without funds for the purpose of paying off any of said bonds at maturity; and

WHEREAS, it is deemed advisable that said bonds be paid and retired from the proceeds of an issue of refunding bonds, maturing in annual series, to the end that such indebtedness may be gradually reduced and permanently retired:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its negotiable coupon bonds for the purpose of refunding and paying $200,000 Water Bonds, dated April 1, 1902, and maturing April 1, 1922.

Section 2. That the maximum aggregate principal amount of said bonds shall be $200,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to the said Act, and is open to public inspection.

Section 5. That this ordinance shall take effect upon its passage and shall not be submitted to the voters.

I move the adoption of the foregoing ordinance, this the ...day of February, 1922.

Commissioners.

Approved as to form:

Corporation Counsel.

The foregoing ordinance was passed on the 15th day of February, 1922, and was first published on the 16th day of February, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $65,000 SEWER BONDS

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its negotiable coupon bonds for the purpose of providing funds for the payment of the cost of extending the present sewer system.

Section 2. That the maximum aggregate principal amount of said bonds shall be $65,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to said Act, and is open to public inspection.

Section 5. That this ordinance shall take effect thirty days after its first publication, unless, in the meantime, a petition for its submission to the voters is filed, under the Municipal Finance Act, and that in such event, it shall take effect when approved by the voters of the municipality at an election as provided in said Act.

I move the adoption of the foregoing ordinance, this the day of February, 1922.

Commissioner.

Approved as to form:

Corporation Counsel.

The foregoing ordinance was passed on the 15 day of February, 1922, and was first published on the 16 day of February, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $65,000 WATER BONDS

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its negotiable coupon bonds for the purpose of providing funds for the payment of the cost of extending the present water supply system.

Section 2. That the maximum aggregate principal amount of said bonds shall be $65,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to the Municipal Finance Act, and is open to public inspection.

Section 5. That this ordinance shall take effect thirty days after its first publication unless, in the meantime, a petition for its submission to the voters is filed, under the Municipal Finance Act, and that in such event, it shall take effect when approved by the voters of the municipality at an election as provided in said Act.

I move the adoption of the foregoing ordinance, this the day of February, 1922.

Commissioner.

Approved as to form:

Corporation Counsel.

The foregoing ordinance was passed on the 15 day of February, 1922, and was first published on the 16 day of February, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $25,000 FIRE EQUIPMENT BONDS

BE IT ORDAINED by the Board of Commissioners of the City of Asheville:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its negotiable coupon bonds for the purpose of providing funds for the payment of the cost of erecting a building to be used as a Fire station, said building to be of non-fireproof construction, that is, the outside walls of which is to be constructed of brick, stone, iron or other hard incombustible materials, but which, in other respects, differs from a fireproof building as defined in said Act.

Section 2. That the maximum aggregate principal amount of said bonds shall be $25,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the clerk, pursuant to the Municipal Finance Act, and is open to public inspection.

Section 5. That this ordinance shall take effect 30 days after its first publication unless, in the meantime, a petition for its submission to the voters is filed, under the Municipal Finance Act, and that in such event it shall take effect when approved by the voters of the municipality at an election as provided in said Act.

I move the adoption of the foregoing ordinance, this the ___ day of February, 1922.

Commissioner.

I move as to form:

Corporation Counsel.

The foregoing ordinance was passed on the 15th day of February, 1922, and was first published on the 16th day of February, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within 30 days after its first publication.

Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $150,000 [illegible]

BE IT ORDAINED by the Board of Commissioners of the City of Asheville:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its negotiable coupon bonds for the purpose of providing funds for the payment of the cost of constructing or reconstructing the surface of roads, streets or highways, including the contemporaneous constructing or reconstructing of curbs, gutters, drains or grading, such constructing or reconstructing to be of brick, blocks, sheet asphalt, bitulithic or bituminous concrete laid on solid foundation, or of concrete, at least one-fourth of the cost of such work, exclusive of the cost of work at street intersections, to be assessed against abutting property.

Section 2. That the maximum aggregate principal amount of said bonds shall be $150,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the City has been filed with the clerk, pursuant to the Municipal Finance Act, and is open to public inspection.

Section 5. That this ordinance shall take effect upon its passage and shall not be submitted to the voters.

I move the adoption of the foregoing ordinance, this the ___ day of February, 1922.

Commissioner.

Approved as to form:

Corporation Counsel.

The foregoing ordinance was passed on the 14th day of February, 1922, and was first published on the 14th day February, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within 30 days after its first publication.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $40,000 INCINERATOR BONDS.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, as amended, issue its negotiable coupon bonds for the purpose of enlarging and extending the existing plant for the incineration or disposal of ashes, garbage and refuse (other than sewage).

Section 2. That the maximum aggregate principal amount of said bonds shall be $40,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to the said Act, and is open to public inspection.

Section 5. That this ordinance shall take effect thirty days after its first publication, unless, in the meantime, a petition for its submission to the voters is filed, under the Municipal Finance Act, and that in such event, it shall take effect when approved by the voters of the municipality at an election as provided in said Act.

I move the adoption of the foregoing ordinance, this the day of February, 1922.

Commissioner.

Approved as to form:

Corporation Counsel.

The foregoing ordinance was passed on the 15th day of February, 1922, and was first published on the 16th day of February, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

Secretary-Treasurer.

Secretary-Treasurer.

A petition praying the construction of a ... Street and ... near said Street ... referred to the ... Public Works.

(Copy of Petition)

To the Honorable Mayor, ... Board of Commissioners:--

We, the ..., residents and tax payers, on Oculla Street in the City of Asheville, ... respectfully petition your Honors ... to construct a suitable ... screen a branch on said Street ... to locate at or near said ... proper street light. Owing to the present condition of the street ... overflow ... and ... to ... and ... Very respectfully,

J. C. Rumley
Magnolia ...
Dermont Alexander
A. M. Mason
Susie M. ...
John Burns
Joseph ...

Walter Long
Louise Hunter
Ella Burnett
George Allen
J. Alfred Wilson
E. P. Denman

Reports ... the Street, Street Cleaning, Health, and Incinerator Department, the Public Health Nursing Association, City Plumber, ... Inspector, Electrical Inspector, Plumbing Inspector and the Bureau of Weights and Measures were read and, on motion, ordered filed.

On motion, the following permits were granted:

C. W. Wingo	Garage				
Geo. Roberts	4 rm. Bungalow	Virginia Ave.	Estimated cost	4,000.00	
Y.W.C.A.	Repairs	Sycamore Street	"	"	4,000.00
Hugh LeBarbe	Addition	33 Charlotte Ct.	"	"	300.00
C. Fred Brown	5 rm. Cottage	Broadway & Woodfin	"	"	300.00
	7 rm. Residence	Crescent Street	"	"	1,[illegible]
		Tacoma Street	"	"	6[illegible]

On motion, Council adjourned.

Secretary-Treasurer.

Monday, February 20, 1922-- 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the last meeting were read and approved.

On motion, the Mayor was authorized and instructed to issue a check in favor of W. M. Morris Co., Inc., in the sum of $ in payment for the completion of the new fire station on Biltmore Avenue, Architect Davis' certificate #6 of February , 1922.

On motion, one Morris Marks was granted permission to peddle linoleum in the city on the payment of the regular license tax as specified in the City Tax Ordinance.

A resolution consolidating $65,000 Water Extension, $65,000 Sewerage Extension, $25,000 Fire Department and $40,000 Incinerator Bonds into a consolidated issue of $195,000, to be known and designated as Public Improvement Bonds, was presented to the Board and on motion of Commissioner R. J. Sherrill, seconded by Commissioner R. L. Fitzpatrick, unanimously adopted.

A RESOLUTION CONSOLIDATING $65,000 WATER EXTENSION, $65,000 SEWERAGE EXTENSION, $25,000 FIRE DEPARTMENT AND $40,000 INCINERATOR BONDS INTO A CONSOLIDATED ISSUE OF $195,000.

WHEREAS four several ordinances were passed February 15, 1922 authorizing, respectively, an issue of $65,000 Water Extension bonds, $65,000 Sewerage Extension bonds, $25,000 Fire Department bonds and $40,000 Incinerator Extension bonds; and

WHEREAS it is deemed necessary that all of said bonds shall at once be issued for the several purposes for which they were so authorized, and that they should be consolidated into one issue under the Municipal Finance Act; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is hereby found and determined that the probable period of usefulness of such water extension is 40 years, and of such sewerage extension 40 years, and of such fire department improvement, being the erection of a non-fireproof building for the Fire Department, 30 years, and of such incinerator plant extensions 20 years, all said periods being computed from February 15, 1923, being one year after the date of passage of said ordinances, and that the average of said periods taking into consideration the amount of bonds to be issued for each of said several purposes, is 34 years, 7 months and 11 days, and that said average period expires September 26, 1957.

Section 2. That all of said bonds shall be consolidated into one issue of $195,000 Public Improvement Bonds, consisting of 195 bonds of $1,000 each, dated February 1, 1922, bearing interest at a rate not exceeding six per centum per annum to be hereafter determined upon the receipt of bids for said bonds, both principal and interest to be payable in gold coin of the United States of the present standard of weight

and fineness at the office of the United States Mortgage & Trust Company in the City of New York, the said bonds to mature in the numerical order February 1, annually, $4,000 1924 to 1937, $6,000 1938 to 1949, $8,000 1950 to 1954, $9,000 1955 to 1957, all inclusive.

Section 3. That of the proceeds of each bond issued hereunder and sold 65/195ths shall be devoted to water extension, 65/195ths to sewerage extension, 25/195ths to a Fire Department building and 40/195ths to the extension of the incinerating plant, all as provided by the said ordinances, and that upon the payment of any bond issued hereunder 65/195ths of $1,000 shall be deemed to be the amount of water extension debt paid, 65/195ths the amount of sewerage extension debt paid, 25/195ths the amount of Fire Department debt paid and 40/195ths the amount of incinerator extension debt paid.

I move the adoption of the foregoing resolution, this the 20th day of February, 1922.

R. J. Sherrill
Commissioner.

Approved:

Corporation Counsel.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE (ss.
CITY OF ASHEVILLE)

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners in regular session in the City Hall of said city on the 20th day of February, 1922, Mayor-Commissioner Roberts presiding. Present and participating at said meeting was R. J. Sherrill, Commissioner of Public Works; R. L. Fitzpatrick, Commissioner of Public Safety, absent on account of illness.

WITNESS my hand and the official seal of said city, this 20th day of February, 1922.

Secretary-Treasurer.

A resolution authorizing $200,000 Refunding Bonds of the City of Asheville and providing for the payment of the principal and interest thereof was presented to the Board and on motion of Mayor-Commissioner of Public Accounts and Finances Wilatin Roberts, seconded by Commissioner R. J. Sherrill, unanimously adopted.

A RESOLUTION AUTHORIZING $200,000 REFUNDING BONDS.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is necessary immediately to issue all of the $200,000 Refunding Bonds authorized by an ordinance passed February 15, 1922, in order to meet the payment at maturity of $200,000 Water Bonds of the City of Asheville maturing April 1, 1922.

Section 2. That it is hereby found, determined and declared that the shortest period in which the debt to be refunded by said Refunding Bonds can be finally paid without making it unduly burdensome upon the taxpayers of the City of Asheville, is thirty years from February 15, 1923, being one year after the date of the passage of said ordinance.

Section 3. That said Refunding Bonds shall consist of 200 bonds of $1,000 each, dated February 1, 1922, bearing interest at a rate not exceeding six per centum per annum to be hereafter determined upon the receipt of bids for said bonds, both principal and interest to be payable in gold coin of the United States of the present standard of weight and fineness at the office of the United States Mortgage & Trust Company in the City of New York, the said bonds to mature in numerical order February 1, annually,

$4,000 1924 to 1932, $6,000 1933 to 1940, $8,000 1941 to 1947 and $10,000 1948 to 1953, all inclusive.

I move the adoption of the foregoing resolution, this the 20th day of February, 1922.

Ballatin Roberts
Commissioner.

Approved:

Corporation Counsel.

[illegible] } ss.

I, [illegible] Conder, Secretary-Treasurer of the City of Asheville hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners in regular session in the City Hall of said City on the 20th day of February, 1922, Commissioner Roberts presiding. Present and participating at said meeting was R. J. Sherrill, Commissioner of Public Works; [illegible] Fitzpatrick, Commissioner of Public Safety, absent on account of illness.

Secretary-Treasurer.

[illegible]

A resolution authorizing $[illegible] Street Improvement Bonds and providing for the payment of the principal [illegible] thereof was presented to the Board, and [illegible] Commissioner R. J. Sherrill, [illegible] by Commissioner P. L. [illegible].

A RESOLUTION AUTHORIZING $150,000 STREET [illegible]

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is necessary immediately to issue all of the $150,000 Street Improvement Bonds authorized by an ordinance passed February 15, 1922.

Section 2. That the estimated cost of the improvements for which said bonds are to be issued is $150,000, and that all thereof are to be constructed within that portion of the City in which the City is privileged by its charter to construct or reconstruct the surface of streets and assess a portion of the cost upon abutting property without petition of property owners.

Section 3. That it is hereby found, determined and declared that the probable period of usefulness of such improvement is 20 years from February 15, 1923, being one year after the date of passage of said ordinance.

Section 4. That said Street Improvement Bonds shall immediately be issued in the aggregate sum of $150,000, consisting of 150 bonds of $1,000 each, dated February 1, 1922, solely for the purposes named in said ordinance, and within the territorial limit in which such improvements may be made and partially assessed upon abutting property without the necessity of a petition of property owners, bearing interest at a rate not exceeding six percentum per annum to be hereafter determined upon the receipt of bids for said bonds, both principal and interest to be payable in gold coin of the United States of the present standard of weight and fineness at the office of the United States Mortgage & Trust Company in the City of New York, the said bonds to mature in numerical order February 1, annually, $10,000 1924 to 1933 and $5,000 1934 to 1943, all inclusive.

I move the adoption of the foregoing resolution, this the 20th day of February, 1922.

R. J. Sherrill
Commissioner.

Approved:

Corporation Counsel.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE) ss.
CITY OF ASHEVILLE)

I, F. L. Conder, Secretary-Treasurer of the City of Asheville hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners in regular session in the City Hall of said City on the 20th day of February, 1922, Mayor-Commissioner Roberts presiding. Present and participating at said meeting was R. J. Sherrill, Commissioner of Public Works; R. L. Fitzpatrick, Commissioner of Public Safety, absent on account of illness.

Secretary-Treasurer.

providing form and execution of certain bonds of the City of
to the Board and on motion of Commissioner
R. J. Sherrill, by Commissioner R. L. Fitzpatrick, unanimously adopted.

RESOLUTION PROVIDING FORM AND EXECUTION OF CERTAIN BONDS DATED FEBRUARY 1, 1922.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That $195,000 Public Improvement Bonds, $200,00 Refunding Bonds and $150,000 Street Improvement Bonds, all dated February 1, 1922, shall be signed by the Mayor and Secretary-Treasurer, under the City Seal, and the annexed interest coupons shall be signed by the Secretary-Treasurer whose signature upon such coupons may be in facsimile.

BE IT FURTHER RESOLVED, that the designation of each of said three bond issues, which designation is to be stated in the caption of each bond, with reference made thereto in each coupon, shall be Public Improvement Bond, Refunding Bond and Street Improvement Bond, respectively.

BE IT FURTHER RESOLVED, that said Public Improvement Bonds shall contain substantially the following recital:

"This bond is one of 195 bonds of like date and amount, aggregating $195,000, comprising a consolidated issue made up of four several bond issues authorized by four several ordinances respectively, passed February 15, 1922, one being of $65,000 for extending the city's water supply system, another $65,000 for extending the city's sewerage system, another $25,000 for erecting a building for the city fire department, and the other $40,000 for extending the municipal plant for incineration of ashes, garbage

and refuse other than sewerage; and this bond is issued under and pursuant to the Municipal Finance Act of North Carolina, "and the said ordinances and a resolution subsequently passed".

BE IT FURTHER RESOLVED, that said Refunding Bonds shall contain substantially the following recital:

"This bond is one of 200 bonds of like date and amount, aggregating $200,000, and is issued to refund and pay a like amount of valid subsisting bonded indebtedness of said City, under and pursuant to the Municipal Finance Act of North Carolina, and an ordinance passed February 15, 1922, and a resolution subsequently passed".

BE IT FURTHER RESOLVED, that said Refunding Bonds shall also contain substantially the following recital:

"And that the total indebtedness of said City, including the debt evidenced by the bonds hereby refunded and paid, did not at the time such last mentioned debt was created, exceed any constitutional or statutory limitation thereon".

BE IT FURTHER RESOLVED, that the said Street Improvement Bonds shall contain substantially the following recital:

"This bond is one of 150 bonds of like date and amount, aggregating $150,000 and is issued for the purpose of constructing or reconstructing the

surface of street within said City under and pursuant to the Municipal Finance Act of North Carolina, and an ordinance passed February 15, 1922, and a resolution subsequently passed".

BE IT FURTHER RESOLVED, that said Public Improvement Bonds shall be numbered from 1 to 195 and said Refunding Bonds from 1 to 200 and said Street Improvement Bonds from 1 to 150, all inclusive.

BE IT FURTHER RESOLVED, that the form of said bonds and coupons, except for the express recitals hereinabove provided, and except as to the necessary changes in numbers and maturities, shall be substantially as follows:

No. _____ STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE $1,000.00

_____ BOND

KNOW ALL MEN BY THESE PRESENTS, that the City of Asheville, in the State of North Carolina, is justly indebted, and for value received hereby promises to pay to the bearer on the first day of February, 19__, the principal sum of

ONE THOUSAND DOLLARS

with interest thereon at the rate of _____ per centum per annum, payable semi-annually on the first days of February and August in each year, upon the presentation and surrender of the annexed interest coupons as they severally become due. Both principal and interest of this bond are payable at the office of the United States Mortgage & Trust Co., in the City of New York, and State of New York, in gold coin of the United States of the present standard of weight and fineness. For

the prompt payment hereof, both the principal and interest, as the same become due, the full faith and credit of the said municipality are hereby irrevocably pledged.

(Here insert the recital provided above)

It is hereby certified and recited that all acts, conditions and things required to be done, happen and exist precedent to and in the issuance of this bond, have been done, happened and do exist, as required by the laws and constitution of said state; that provision has been made for the levy and collection of an annual tax upon all taxable property within said city sufficient to pay the interest and principal hereof as the same respectively fall due; and that the total indebtedness of said city, including this bond, does not exceed any constitutional or statutory limitation thereon.

(Note: In Refunding Bond add the special recital hereinabove provided therefor)

IN WITNESS WHEREOF said City of Asheville, by its Board of Commissioners, has caused this bond to be signed by its Mayor and its Secretary-Treasurer, and its corporate seal to be hereto affixed, and the interest coupons hereto attached to be executed with the facsimile signature of its Secretary-Treasurer, all as of the first day of February, 1922.

_____
Mayor.

_____
Secretary-Treasurer.

(Form of Coupon)

No. ___ $_____

On _____ first, 19__, the City of

Asheville, North Carolina, will pay to the bearer at the United States Mortgage & Trust Co., of New York City, the sum of _____ DOLLARS in gold, as provided in and for the semi-annual interest on its _____ Bond, dated February 1, 1922, and numbered ___.

_____
Secretary-Treasurer.

I move the adoption of the foregoing resolution, this the 20th day of February, 1922.

_____
Commissioner.

Approved:

_____
Corporation Counsel.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE) ss.
CITY OF ASHEVILLE)

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners in regular session in the City Hall of said city on the 20thday of February, 1922, Mayor-Commissioner Roberts presiding. Present and participating at said meeting was R. J. Sherrill, Commissioner of Public Works; M. L. Fitzpatrick, Commissioner of Public Safety, absent on account of illness.

WITNESS my hand and the official seal of said City, this 20th day of February, 1922.

_____
Secretary-Treasurer.

A resolution authorizing the advertisement of $[illegible] City of Asheville Bonds was presented to the Board and, on motion of Mayor-Commissioner [illegible] Public Accounts and Finance Ballatin Roberts, seconded by Commissioner R. J. Sherrill unanimously [illegible].

RESOLUTION ORDERING ADVERTISEMENT OF $545,000 CITY OF ASHEVILLE BONDS.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is hereby found and determined that the Asheville Citizen and the Asheville Times, published in Asheville, are, within the meaning of Section 2956 of the Municipal Finance Act, 1921, Financial papers or Trade Journals within the state of North Carolina, which publishes from time to time notices of the sale of Municipal Bonds:

That the Secretary-Treasurer be, and he is directed to publish a notice in the Asheville Citizen and the Asheville Times, published in Asheville, and in the Daily Bond Buyer, published in New York City, stating that sealed bids are received for $545,000 bonds of the City of Asheville, dated February 1, 1922, and authorized by resolution passed February 20, 1922, which advertisement may be substantially in the following form:

$545,000
City of Asheville, North Carolina
Bonds.

Sealed bids for the above bonds, addressed to the undersigned, will be received by the Board of Commissioners of the City of Asheville, at the City Hall, in said City, until March 14, 1922, at 4 o'clock, P. M., said bonds to be dated February 1, 1922, with interest at not more than six per centum per annum, payable February 1 and August 1, principal and interest payable in New York City in gold. Denomination $1,000, maturing annually February 1, as follows:

Refunding Bonds, $4,000, 1924 to 1932, $6,000, 1933 to 1940, $8,000, 1941 to 1947 and $10,000, 1948 to 1953; Street Improvement Bonds, $10,000, 1924 to 1933 and $5,000, 1934 to 1943, and Public Improvement Bonds, $4,000, 1924 to 1937, $6,000, 1938 to 1949, $8,000, 1950 to 1954 and $9,000, 1955 to 1957, all inclusive.

The Public Improvement Bonds constitute a consolidated issue, $65,000 for water extension, $65,000 for Sewerage extension, $25,000 for Fire Department building and $40,000 for Incineration plant extension.

The bonds are to be prepared under the supervision of the United States Mortgage & Trust Co., of New York City, which will certify as to the genuineness of the signatures of the City officials and the seal impressed thereon.

All bonds will bear one rate of interest not exceeding six per centum per annum, and bidders are requested to name the rate.

These bonds are general obligations of the city and an unlimited tax for the payment of the principal and interest thereof has been authorized by law and ordinance.

Bids are desired on blank forms, which will be furnished by the City or said Trust Company.

Purchaser will be furnished approving opinion of Chester B. Maslich, Esq., of New York City.

Bonds will be delivered on or about April 1, 1922, at the office of the United States Mortgage & Trust Company, in New York City and must be paid for on delivery.

Each bid must be accompanied by a certified check for two per cent (2%) of the face amount of the bonds bid for, drawn to the order of the City of Asheville or the undersigned, upon an incorporated bank or trust company, or cash in like amount, to secure the city against any loss resulting from the failure of the bidder to comply with the terms of his bid.

No bid under par and accrued interest will be entertained."

The right to reject any and all bids is reserved.

F. L. CONDER
Secretary-Treasurer

I move the adoption of the foregoing resolution, this the 20th day of February, 1922.

GALLATIN ROBERTS
Mayor.

Approved:

[illegible]
Corporation Counsel.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE) ss.
CITY OF ASHEVILLE)

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners in regular session in the City Hall of said city, held on February 20, 1922, Mayor-Commissioner Roberts presiding. Present and participating in said meeting R. J. Sherrill, Commissioner of Public Works and R. L. Fitzpatrick, Commissioner of Public Safety.

WITNESS my hand and the official seal of said city, this the 20th day of February, 1922.

F. L. CONDER
Secretary-Treasurer.

[illegible] Street Estimated cost $4,000.00
[illegible] Flint St. " " 300.00
[illegible] Clingman Ave. " " 11,300.00
[illegible] Garage [illegible] Biltmore Ave. " " 60.00
[illegible] Bartlett St " " 200.00
[illegible] Smith Street " " 50.00

On motion, [illegible].

Secretary-Treasurer.

[illegible], Tuesday, the [illegible] day of [illegible], A. M.

The Board of [illegible]

The minutes [illegible]

On motion, the Purchasing Agent was authorized and instructed to [illegible] for sale, returnable by [illegible], A. M., March 6, 1922, at three (three) [illegible] to the [illegible] of the Secretary-Treasurer.

On motion, the following [illegible] were passed:

Walter Mayfield [illegible] York Street [illegible]
C. S. Ryder from [illegible] Harvard Place " "
J. T. Wright [illegible] [illegible] " "

On motion, [illegible].

Secretary-Treasurer

Wednesday, February [illegible], 1922 -- 11 o'clock, A. M.

The Board [illegible] at the call of the Mayor to hear [illegible] with reference to [illegible]; Mayor Roberts presiding, [illegible] present and participating.

Judge J. Frazier Glenn, representing Mr. T. J. MacArthur, stated that [illegible] had paid the benefits accruing to the property of [illegible] by the opening of Market Street on December 17, 1921, [illegible] doors until recently, [illegible] being [illegible] to be lost to [illegible] by same. In view of this fact [illegible] a refund on the [illegible] interest thereon be [illegible] repair Co.".

This matter, [illegible], [illegible] statement.

Judge J. Frazier Glenn, representing [illegible] property owners and [illegible] position in the vicinity [illegible] the incinerator [illegible] operation of the present [illegible] Incinerator and [illegible] be removed to practically [illegible] and fifty citizens and [illegible] property, [illegible] the Board [illegible] removal of the [illegible] location.

Rev. R. F. Campbell, Mr. Henry Brown, Mrs. Henry Brown, Mrs. Dan Lentz, Mr. John M. Bridges, Rev. [illegible], Mr. Walker, Mr. Badger and Mr. [illegible] of [illegible] addressed the Board [illegible] stated that the [illegible] from the incinerator was not only extremely obnoxious [illegible] unbearable but its establishment was unnecessarily [illegible] and the [illegible] property within a radius [illegible] half a mile around it.

It was also stated that from a health standpoint the incinerator was thought to be very injurious, the attention of the Board being called to the fact that a considerable amount of sickness [illegible] at the present time prevalent in this vicinity.

Mr. T. J. Sadler [illegible] particular attention to the fact that the [illegible] from the incinerator is gradually [illegible] over on the property of the Arlingdale property.

On motion, [illegible] matter was taken under advisement.

(Copy of Petition)

February 16, 1922.

To The Honorable Mayor and
Board of Commissioners of the City of Asheville:

We the undersigned property owners of the City of Asheville, feeling that the City Incinerator is a serious detriment and damage to our property and the value of it, [illegible] menace to the health and comfort of all persons living within a radius of half a mile or more from it; and understanding that the City is proposing to very materially and considerably increase the size and capacity of said Incinerator, thereby aggravating the damage and annoyance herein above mentioned; do respectfully petition your Honorable Body that the Incinerator not only be not increased in size and capacity, but further, that the present Incinerator be removed, and that any other Incinerator hereafter constructed, be located at some place well away from valuable residence property.

J. Frazier Glenn
Guy Weaver
David M. Fetzer
Buffner Campbell
C. A. Walker
J. M. Pitner
Clinton K. Hughes
E. Frank Badger
Owen Badger
Joe Witz
E. J. Randolph
H. W. Brown
John W. Campbell
D. Sternberger
S. Sternberg
Chas Hicktonfels
Roy P. Brown
J. R. Clements
Frank Brown
V. J. Olive
T. J. Wealdridge
Max A. Hayes
T. C. Roberts
J. M. Lange
Chas. C. Orr
W.C.Leatherwood
R. P. Walker
N. W. Dendy
W. R. Taylor
M. B. Crosswell
R. R. Arbogast
Henry C. Badger
Edw.R.Sutherland
W.P.Councilman
C. D. Hall
John S. Tennent
B. Pearlman
I. Michalove
D. L. Rainey
R. V. Morrow

[illegible]	[illegible]	[illegible] Joan Brown	Mary L. Cheetham
[illegible]	[illegible]	[illegible] Patterson	H. A. Howard
[illegible]	[illegible]	Susan C. Dukes	Julia Tennent
[illegible]	[illegible]	Mrs. J. K. Coleman	Elizabeth Hartnorne
[illegible]	[illegible]	Mrs. H. E. Walter	Mrs. A. C. Coffey
[illegible]	[illegible]	Mrs. W. R. Baker	H. S. Haskell
[illegible]	[illegible]	Mrs. [illegible] I. Shoup	Mrs. T. M. McCulloh
[illegible]	[illegible]	Mrs. H. H. Sullivan	McKinley Pritchard
[illegible]	[illegible]	Alice L. Gudger	Maud G. Baker
[illegible]	[illegible]	[illegible]	Mrs. [illegible] W. Wrenn
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible] T. Erwin
[illegible]	[illegible]	J. Hardy Lee	J. E. Smathers
[illegible]	[illegible]	[illegible]	W. M. Smathers
[illegible]	[illegible]	Julian W. [illegible]	W. O. Ward
[illegible]	[illegible]	Burwell F. Hall	C. N. Brown
[illegible]	[illegible]	[illegible]	Lee Ownbey
[illegible]	[illegible]	[illegible] Taylor [illegible]	Mrs. L. H. Greer
[illegible]	[illegible]	Carmen [illegible]	Otis A. Miller
[illegible]	[illegible]	[illegible] J. Alexander	J. P. Davis
[illegible]	[illegible]	J. V. Johnston	J. J. Wallen
[illegible]	[illegible]	J. M. Elmore	Mrs. L. A. McGimsey
[illegible]	[illegible]	Mrs. [illegible] Crisp	J. R. Sprinkle
[illegible]	[illegible]	J. M. McGowan	E. I. Elmore
[illegible]	[illegible]	J. T. Bryce	Dane Calarison
[illegible]	Ena Moore	Arthur Moore	Addie C. Greenlee
[illegible]	Mrs. [illegible]	Mrs. S. M. Sullivan	Q. Y. Sullivan
[illegible]	[illegible]	Lisie Dayton	Wm. Johnston
R. C. [illegible]	[illegible]	M. J. F. Lamprey	Elmer E. Williams
[illegible]	[illegible]	Arthur Young	W. P. Carter
[illegible]	[illegible]	W. M. Swepson	Henry Williams
[illegible]	[illegible]	Mrs. J. D. Glenn	Ellen L. Glenn
[illegible]	[illegible]	Annie Couch	J. L. Bradley
[illegible]	[illegible]	H. [illegible] Dalton	E. W. Brackett
[illegible]	[illegible]	W. H. Robinson	R. L. Robinson
[illegible]	[illegible]	Zeb Metcalf	R. L. Garren
[illegible]	[illegible]	Jack Barrett	A. L. Callihan
[illegible]	[illegible]	Chas. E. Chambers	J. H. Radford
[illegible]	[illegible]	J. Heath Bishop	S. J. Sams
[illegible]	[illegible]	J. T. Morgan	W. A. Maxwell
V. [illegible]	[illegible]	A. [illegible] O'Kelly	H. L. Farland
[illegible]	[illegible]	[illegible] Creasman	S. P. Bryce
[illegible]	[illegible]	Mr. J. R. Hardin	Mrs. M. [illegible] Long
[illegible]	[illegible]	Max Warren	W. P. Crompton
[illegible]	[illegible]	[illegible] H. Wyatt	Mrs. W. H. Wyatt
[illegible]	Mrs. [illegible] Smathers	Rev. J. [illegible] Bennett	Mrs. J. C. Bennett
[illegible]	[illegible]	Mr. L. D. Warren	Mrs. J. D. Warren
[illegible]	[illegible]	Mrs. L. [illegible] Redman	A. H. Felmet
[illegible]	[illegible]	Mr. Will Jackson	Mrs. Will Jackson
[illegible]			

[illegible] further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Thursday, February [illegible], 1922-- [illegible] o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. Mayor Roberts absent on account of illness in his family. The minutes of the previous meeting were read and approved.

[illegible]

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that the opening [illegible] for the proposed addition to the City's incinerator be postponed until the [illegible] meeting of the Board tomorrow.

[illegible]

The application of Mrs. [illegible] Wilder and Mrs. Jane E. W. Smith that Dallas Street between Sand Hill Road and Laddie Avenue be accepted and graded by the city and that the residents on said street be furnished with sewer and water accommodations [illegible], on motion, taken under advisement, the Board agreeing to go over the grounds and [illegible] conditions in person.

[illegible]

The report of the Corporation Counsel showing his investigation of the request of Mr. J. Y. Jordan, Jr., attorney for Mr. J. [illegible] Seigler, for a quit claim deed for a certain strip of land [illegible] his client's property and Dallas Street was read to the Board.

In view of the [illegible] contained in the Corporation Counsel's report, Mr. Jordan presented a quit claim [illegible] asked that the city execute.

This matter, on motion, taken under advisement pending the return of the Mayor.

(Copy of Report)

February [illegible], 1922.

To the Honorable Mayor, Commissioners, and Board of Commissioners of the City of Asheville:

In Re: J. [illegible] Sigler [illegible] Dallas Street.

Gentlemen:

In reply to your communication of the 16th inst. with reference to the above [illegible] accompanied by petition filed by Mr. J. Y. Jordan, Jr., [illegible], I have to advise that I have carefully investigated this matter and [illegible] materially assisted by the most excellent [illegible] of facts and petition prepared by Attorney Jordan and [illegible] of facts are correct. The only question remaining for the Board is whether in the exercise of your discretion you desire to retain the easement granted as set forth in the statement of facts aforesaid. However, it appears to me that there has been an abandon of these rights and you will be clearly within your [illegible] to the petitioner the land [illegible] in the petition. However, I have not checked out the land and [illegible] to advise you as to the correct description of the same.

I, therefore, advise you that in my opinion you are fully empowered to execute a release deed to the land and premises because of the abandonment [illegible] fourteen years.

Very respectfully,

GP/g

Geo Pennell
Corporation Counsel.

[illegible]

The request of Building Inspector F. F. Howell that the Board forbid the use of the Eagle's Hall on Broadway for public gatherings until the owner of the building provides sufficient fire escapes, was, on motion, referred to the Commissioner of Public Safety with power to act.

[illegible]

A petition requesting that Moody Avenue be extended through to Rich Street was read to the Board and, on motion, ordered filed.

February [illegible], 1922

We the undersigned want Moody Ave. extended to Rich St. There is a petition on record asking that this be done.

C. E. Rich
L. D. Moore
M. A. Franklin
R. P. Kennerly

File No. 1
Letters Moody

Monday, February 27, 1922--11 o'clock, A. M.

The Board of Commissioners met in regular session, Vice-Mayor Sherrill presiding. The minutes of the previous meeting were read and approved. Mayor Roberts was absent.

An ordinance prohibiting the manner of production and sale of milk and milk products in the corporate limits of the City of Asheville was presented to the Board and read the first time.

On motion, the following building permits were granted:

J. F. Alexander	House	Woodlawn Ave.	Estimated cost	$ 100.00
Piedmont Tinning Co.,	Shop	Patton Avenue	" "	500.00
J. D. Hall	Rooms	Drumm Street	" "	200.00
L. C. Town	Store House	Biltmore Avenue	" "	2,000.00

On motion, the meeting adjourned.

Secretary-Treasurer,

Monday, February 27, 1922- 4 o'clock, P. M.

It being the time for the City's advertisement the Board of Commissioners met for the purpose of considering bids for supplementing and extending the City's water supply system.

On motion, the Clerk was instructed to open and read all bids submitted, whereupon the following communications were opened and read to the Board:

Chas. E. Cole, Asheville, N. C.
J. C. Chamberlain Co., Chattanooga, Tenn.
Wm. M. Piercin Company, Hendersonville, N. C.
Tilley Company, Asheville, N. C.
Kelly Wilson, Asheville, N. C.

On motion, the bids submitted were referred to the City Engineer for tabulation and report, the matter being postponed until the receipt of the report of the City Engineer.

There being no further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Tuesday, February 28, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Dr. J. C. Anderson, former member of the Board of Aldermen of West Asheville, appeared before the Board in behalf of Messrs. D. S. Bliss and D. D. Hall relative to the assessment of the road against certain lots on the north side of Haywood Road between the road and the top of the hill.

Dr. Anderson stated that his recollection was that it was necessary to secure a right-of-way for the Asheville Power & Light company before that concern would agree to move its line, and in consideration of said right-of-way Mr. Moore, the owner of the property in question at that time, received $125.00; that to the best of his knowledge no petition was ever presented to the Board exempting the property in question from the paving assessments, although all other property on the same side of the road and abutting it had been exempted.

Mr. Anderson stated that the attorney for the town of West Asheville had advised that there was no question of the City's right to assess this property in view of the fact that it did not abutt on the street, the thirty foot right-of-way of the Asheville Power & Light Company lying between it and the street. However, the assessments had been levied by the Board against the property. Dr. Anderson further stated that personally he felt that the owners of the property were entitled to some consideration in view of the fact that the property did not abutt on the street and was on a high bank considerably above the level of the street, however, as stated before, the Board of Aldermen of West Asheville had taken no action, consequently the whole matter was in the discretion of this Board.

Mr. D. S. Hall, owner of part of the property in question, explained that he and his

associated had brought [illegible] with the understanding, however, that [illegible] from it. He claimed that it was [illegible] the property [illegible].

This matter,

A petition, [illegible] that a street running [illegible] of widening of [illegible] under advisement.

West Asheville, N. Carolina
February 21st, 1922

We the citizens of [illegible] Street [illegible] residing [illegible] at present [illegible] for the [illegible] this Western [illegible] main [illegible] hereby.

E. P. Atkinson
Wm. W. Waddell
T. McP Mason
J. T. Conner
P. P. Ingle
G. L. Fortune
S. P. Hall
S. J. Fortune
J. D. Fortune
A. T. Gibson
J. I. Angel
E. L. Smith
J. [illegible]
W. L. [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

The request of Messrs. J. C. Mitchell and T. M. Young that [illegible] of the cost of concreting [illegible] sewer through the lot [illegible] Biltmore Avenue at its intersection with Chestnut Street [illegible] Commissioner of Public Works for investigation and report.

The request of Mrs. C. W. [illegible] for a [illegible] in front of the new school was, on motion, referred to the Commissioner of Public Works.

An ordinance prohibiting the manner of production and sale of milk and milk products in the corporate limits of the City of Asheville was presented to the Board and on motion duly seconded and unanimously carried, passed on first reading by title, and it being for the immediate preservation of the public health and safety of the citizens was declared an emergency ordinance to take effect immediately upon the vote passed and first published in the newspaper published in said city.

AN ORDINANCE REGULATING THE MANNER OF PRODUCTION AND THE SALE OF MILK AND MILK PRODUCTS IN THE CORPORATE LIMITS OF THE CITY OF ASHEVILLE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Standard Milk and Cream

Sec. 1. That no person, firm or corporation shall sell or deliver, or have in his possession for sale, milk to which water or any other substance has been added; milk which has been wholly or partially skimmed; milk not of standard quality, or milk from cows not tested within the year by a competent veterinarian and found to be free from tuberculosis, in the corporate limits of the City of Asheville; provided, skimmed milk may be sold, if the receptacle containing the same is plainly and legibly marked with the words "Skimmed Milk"; skimmed milk having less than 9.25% of milk solids shall be considered adulterated; whole milk having less than 8.5% of solids not fat, and less than 3.25% butter fat, shall be deemed to be adulterated; cream containing less than 18% butter fat shall not be sold unless the receptacle containing the same is conspicuously and plainly marked, showing a less per cent of butter fat; whole milk that has been mechanically modified, or otherwise modified in any respect, shall not be sold in the corporate limits of the City of Asheville unless the same is plainly, conspicuously and permanently marked upon the container, and no person shall sell modified milk unless the same is plainly, conspicuously and permanently marked and the customer is notified that he is purchasing modified milk.

Milk from Diseased Cows Prohibited

Sec. That no person, firm or corporation shall sell, transfer or deliver, or have in his possession for sale in the corporate limits of the City of Asheville, milk or milk products produced by diseased cows, or by cows which have been fed decomposed or unwholesome food, or contaminated water, or milk which has been produced, stored, handled or transported in an unclean or unsanitary manner.

Persons Having Contagious Diseases Cannot Engage in Milk Business

Sec. That it shall be unlawful to sell milk or milk products from a dairy, creamery or any other producing or distributing agency in which a person suffering from an infectious or contagious disease, or the carrier of any disease, knowingly visits or works, in the City of Asheville.

Report of Illness.

Sec. That producers and dealers and employees of such, who sell or deliver milk or milk products, directly to the consumer, in the City of Asheville, shall immediately notify the milk inspector of any communicable disease among his associates, employees or family; that it shall be the duty of the attending physician to also notify the milk inspector of any contagious, infectious or communicable disease among his patients, or coming under his observation, among milk producers and dealers in milk and milk products, where the same is sold in the City of Asheville; milk and milk products sold in the City of Asheville shall not be dipped from cans, or other containers, or poured from one bottle or other container, or placed in any container whatsoever, for distribution or sale by such producers or dealers except in approved milk rooms of dairies, creameries and distributing agencies, which are licensed for such purpose by the milk inspector.

Bottles Must Be Sterilized Each Use

Sec. That milk tickets shall not be used but once; bottles, cans and other containers of milk and milk products, delivered to dwellings, hospitals, sanitariums, or sanitoriums or other places having patients infected with tuberculosis or other contagious or infectious diseases, shall not be again used, as containers for milk or milk products, to be sold in the City of Asheville, until such bottles, cans and other containers are cleansed in boiling water

Placing Offensive Matter in Milk Containers

Sec. That it shall be unlawful for any person, firm or corporation to place, or permit to be placed, in a container for milk or milk products, designed to be again used, in the production, sale or delivery of milk or milk products, in the City of Asheville, swill, offal, kerosene, gasoline, coal dust, ashes, dirt or other offensive material.

Disposition of Both Contaminated Containers

Sec. Containers for milk or milk products designed to be re-used, and which are susceptible of re-use, shall not be removed from the premises of any home quarantined or placarded by reason of contagious or infectious disease until the quarantine or placard has been removed by the proper authorities; that after the removal of the quarantine, the sanitary department shall assemble and sterilize or cause the same to be sterilized under its supervision all milk bottles, and after proper sterilization and cleansing, hold the same for the owner; that all other containers of milk and milk products left on the premises, during the period of such quarantine, or which may be infected, shall be destroyed at the instance of the owner or the person leaving the same on the premises; should the person or owner leaving the same on the premises, object and refuse to destroy, or permit the destruction of such containers, the same shall be destroyed or burnt by the sanitary department, provided such owner or person objecting to the destruction of said containers shall be deemed not a fit person to engage in the production, distribution or sale of milk and milk products in said City of Asheville, and his license shall be revoked by the City Commissioners.

Score Card

Sec. Wholesale dairies that do not make a combined score of as much as 85 points; retail dairies that do not make as much as 80 points on equipment, 40 points on methods and a combined score of as much as 70 points; and dairies selling certified milk that do not make as much as 35 points on equipment and 50 points on method, and a combined score of 85 points, on the following score card, are hereby declared to be unsanitary, and their milk or milk products injurious to the public health, and the same shall not be sold in the City of Asheville.

EQUIPMENT

Health	
Apparently in good health	2
U.S.Accredited Certificate	4
If tested with tuberculin within a year, and no tuberculosis is found, or if tested within six months and all reacting animals removed	1
(If tested within a year and reacting animals are found and removed)	
Food (Clean & wholesome)	2
Water(" " fresh)	2
	1
	2
	4
	6
	8

H DEPARTMENT

METHODS	SCORE
	4
	0.5
	0.5
	0.5
	0.5

Milk From Diseased Cows Prohibited

Sec. That no person, firm or corporation shall sell, transfer or deliver, or have in his possession for sale in the corporate limits of the City of Asheville, milk or milk products produced by diseased cows, or by cows which have been fed decomposed or unwholesome food, or contaminated water, or milk which has been produced, stored, handled or transported in an unclean or unsanitary manner.

Persons Having Contagious Diseases Cannot Engage in Milk Business

Sec. That it shall be unlawful to sell milk or milk products from a dairy, creamery or any other producing or distributing agency in which a person suffering from an infectious or contagious disease, or the carrier of any disease, knowingly visits or works, in the City of Asheville.

Report of Disease

Sec. That producers and dealers and employees of such, who sell or deliver milk or milk products, directly to the consumer, in the City of Asheville, shall immediately notify the milk inspector of any communicable disease among his associates, employees or family; that it shall be the duty of the attending physician to also notify the milk inspector of any contagious, infectious or communicable disease among his patients, or coming under his observation, among milk producers and dealers in milk and milk products, where the same is sold in the City of Asheville; milk and milk products sold in the City of Asheville shall not be dipped from cans, or other containers, or poured from one bottle or other container, or placed in any container whatsoever, for distribution or sale by such producers or dealers except in approved milk rooms of dairies, creameries and distributing agencies, which are licensed for such purpose by the milk inspector.

Bottles Must Be Sterilized When Kept

Sec. That milk tickets shall not be used but once; bottles, cans and other containers of milk and milk products, delivered to dwellings, hospitals, sanitariums, or sanitoriums or other places having patients infected with tuberculosis or other contagious or infectious diseases, shall not be again used, as containers for milk or milk products, to be sold in the City of Asheville, until such bottles, cans and other containers are cleansed in boiling water

Placing Offensive Matter In Milk Containers

Sec. That it shall be unlawful for any person, firm or corporation to place, or permit to be placed, in a container for milk or milk products, designed to be again used, in the production, sale or delivery of milk or milk products, in the City of Asheville, swill, offal, kerosene, gasoline, coal dust, [illegible], dirt or other offensive material.

[illegible]

Sec. Containers for milk or milk products designed to be re-used, and which are susceptible of re-use, shall not be removed from the premises of any [illegible] quarantined or placarded by reason of contagious or infectious disease until the quarantine or placard has been removed by the proper authorities; that after the removal of the quarantine, the sanitary department shall assemble and sterilize or cause the same to be sterilized under its supervision all milk bottles, and after proper sterilization and cleansing, hold the same for the owner; that all other containers of milk and milk products left on the premises, during the period of such quarantine, or which may be infected, shall be destroyed at the instance of the owner or the person leaving the same on the premises; should the person or owner leaving the same on the premises, object and refuse to destroy, or permit the destruction of such containers, the same shall be destroyed or burnt by the sanitary department, provided such owner or person objecting to the destruction of said containers shall be deemed not a fit person to engage in the production, distribution or sale of milk and milk products in said City of Asheville, and his license shall be revoked by the City Commissioners.

Score Card

Sec. Wholesale dairies that do not make a combined score of as much as 52 points; retail dairies that do not make as much as 30 points on equipment, 40 points on methods and a combined score of as much as 70 points; and dairies selling certified milk that do not make as much as 35 points on equipment and 50 points on method, and a combined score of 85 points, on the following score card, are hereby declared to be unsanitary, and their milk or milk products injurious to the public health, and the same shall not be sold in the City of Asheville.

ASHEVILLE HEALTH DEPARTMENT

EQUIPMENT	SCORE	METHODS	SCORE
[illegible]		[illegible]	
[illegible]		[illegible]	4
[illegible]		Floor	0.5
[illegible]		Walls	0.5
[illegible]		[illegible]	0.5
[illegible]	8	[illegible]	0.5
[illegible]	2	[illegible]	0.5
[illegible]	1	[illegible]	
[illegible]	2	[illegible]	
[illegible]	4	[illegible]	
[illegible]	6	[illegible]	
[illegible]	3	[illegible]	
[illegible]		[illegible]	
		~~[illegible]~~	
		Total	

Methods Final Score

Tuberculosis Test and Sanitary Milk Pails

Sec. Milk from cows, or herds of cows, that have not been tested within the year by a competent veterinarian, and found to be free from tuberculosis, and milk from cows, or herds of cows, that are not milked in small top, sanitary buckets, approved by the Health Officer, is hereby declared to be unsanitary, and the same shall not be sold in the City of Asheville; provided, however, the provisions of this section with reference to milk buckets shall not apply to persons having only one cow.

Milk Inspector's Duties

Sec. That the Board of Commissioners of the City of Asheville shall appoint a competent person, to be known as milk inspector of said city, at such salary and for such periods of time as the Board of Commissioners may deem best, and it shall be the duty of the milk inspector to see that the provisions of this sub-chapter, and all other laws relating to the production, sale, delivery and distribution of milk and milk products within the City of Asheville, are enforced for the protection of the public health.

Wooden Partitions, Wooden and Dirt Floors Not Allowed

Sec. That no person, firm or corporation shall sell, or offer for sale, or have in his or its possession with intent to sell, the same in the City of Asheville, any whole milk, modified milk or cream produced in barns where the cows are permitted to stand on either dirt or wooden floors, or the stalls are divided by a wooden partition, or where such milk or milk products are handled under dirty or unsanitary conditions.

License Not Issued Unless Provisions Complied With

Sec. That persons, firms or corporations producing, or attempting to either produce, sell or distribute milk or milk products in the City of Asheville that have failed to comply with the provisions of this sub-chapter shall neither be licensed nor permitted to sell or distribute either his or its milk or milk products to any of the inhabitants of the City of Asheville; that no uninspected dairy, creamery or other distributing agency of milk or milk products shall sell such product in the City of Asheville.

Milk Not Standard

Sec. Milk found in milk wagons, motor trucks, or other vehicles, if offered or intended for sale in said City, not of standard quality, as hereinbefore provided, or which contains visible sediment, or which is not properly protected from contamination, or deterioration, shall be seized by the milk inspector and destroyed or rendered unusable or unsalable by

staining or other proper means; to that end said milk inspector is hereby authorized and fully empowered, and it is hereby made his duty to take sample and examine milk and milk products that may be kept or offered for sale to the public for consumption in said City in wagons, motor trucks, stores, restaurants, creameries, distributing agencies, and all other places, and he may require the person in charge of the same, or selling or delivering such milk or milk products, in said City, to report at the City laboratory with his milk or milk products so offered for sale for examination; that if such examination satisfies the inspector that such milk or milk products so examined should be destroyed or rendered unfit for use, said inspector shall destroy or render the same unfit for use; provided, if protest is made by the party whose milk or milk products is to be condemned or rendered unfit for use, the Board of Commissioners shall review the findings of the milk inspector and, if said Board shall affirm the action of the milk inspector, and notify the party protesting of its action, and said party continues to protest, the milk or milk products shall be destroyed, and the license of the person protesting to sell milk or milk products for use in said City, shall be revoked, and he or it declared to be an unfit person to engage in such business in said City.

Regs for Inspection Outside of Buncombe

Sec. That said milk inspector shall inspect all dairies, creameries and distributing agencies in the County of Buncombe, selling milk or milk products to the citizens of Asheville; that said Board of City Commissioners shall designate such milk inspector, or some other competent person, and fix his compensation to be paid in advance by the one applying for such services to inspect all dairies, creameries or other distributing agencies not residents or situated in said County of Buncombe selling milk or milk products in said City of Asheville; that it shall be the duty of the milk inspector, or milk inspectors, of the City of Asheville, to send a copy of his report to each holder of a license to sell milk or milk products in said City, no residents of Buncombe County; that it shall be the duty of the inspector employed at the instance of the Board of City Commissioners, and paid by the interested party, to send a copy of his report to each holder of a license to sell milk or milk products in said City, not residents of Buncombe County, or

situated outside of said County, each of said reports showing:

1. The rating of his dairy, creamery or distributing agency by the score card at the date of the last inspection.

2. The results of all records made:
   A-- For purity, sanitation and cleanliness;
   B-- For care in handling & transportation;
   C-- For acidity 12 hours after milking;
   D-- For cream and butter fat.

3. The result and date of last test for tuberculosis in his herd.

4. The amount, if any, of milk condemned since last report.

A duplicate of the above record shall be on file in the City Hall of Asheville and be accessible to the public.

Wholesale And Retail License.

Sec. That every person, firm or corporation, before selling milk or milk products, or offering the same for sale or before conveying the same in wagons, or motor trucks, or otherwise, for the purpose of selling or delivering it for consumption in said City, shall annually procure a license from the Board of City Commissioners through the milk inspector of the City of Asheville to either wholesale or retail the same; said license shall be issued free of charge in the name of the owner of the dairy, vehicle, creamery, store or other producing or distributing agency, and said license shall neither be sold nor transferred.

Retailers Must Have Screened Rooms.

Sec. No person, firm or corporation shall be licensed to retail or distribute milk or modified milk, skimmed milk or cream, in the City of Asheville, unless the premises of the retailer or creamery or distributor, or the premises where the retailer, or creamery, or distributor, operates is provided with an adequate milk room having concrete or other floor properly drained and impervious to water and properly screened against flies and other insects, situated separate and apart from dwelling, barn, stable, or other place where livestock, or poultry are housed, and the milk immediately transferred, after each milking, to said milk room, and proper methods approved by the milk inspector, bottled or placed in containers, and all milk bottles, containers and other equipment cleansed and sterilized in an approved manner satisfactory to the inspector, immediately after the same has been used, and oftener if required by the inspector.

Retail Dealers Defined

Sec. That a retail dealer shall be defined as any person, firm or corporation that sells or delivers, or causes to be sold or delivered, either whole, modified or skimmed milk or cream or buttermilk in any quantity, direct to either the consumer or distributing agency, to be delivered to the consumer in the same container, provided individuals keeping only one cow shall not be classified as retail dealers.

Wholesale Dealers Defined

Sec. That wholesale dealers shall be defined as persons, firms or corporations that produce whole milk and delivery, or cause the same to be delivered, to creameries, skimming stations, or other bottling agencies properly equipped for separating or placing the same in different containers before delivering to the consumer. Persons, firms, or corporations licensed to wholesale shall not retail milk or milk products in said City; retailers may also be licensed to wholesale.

Dealers Must Report Names of Employees And Source of Supply

Sec. The holders of licenses, either to wholesale or retail, shall immediately notify in writing the milk inspector of any changes in drivers or other employees, or any change in the source of supply, and each license shall be granted onconditions that it is subject to suspension or revocation for violation of any provision of this sub-chapter or any ordinance governing the production of milk or milk products for sale in the City of Asheville.

License May Be Revoked

Sec. That each license shall be granted with the understanding that the applicant will comply with the lawful rules, regulations and ordinances of said City, and all other laws, rules and regulations affecting the production of milk and milk products sold in said City, and the milk inspector, and all other lawful authorities shall have access to the applicant, dairy, herd, creamery and all other places of business, as well as utensils and containers used in the production and handling of milk and milk products.

Restaurants Must Serve Milk In Bottles

Sec. That it shall be unlawful for persons, hotels, boarding-houses, sanitariums, sanitoriums, hospitals, and all persons, firms or corporations, operating restaurants and other places where meals or lunches are sold in the City of Asheville, to sell or serve either whole milk or modified milk, or skimmed milk or butter milk, to customers or patrons, unless such milk has been bottled according to the provisions of this sub-chapter in bottles of the size containing one individual service, and served to the patron or customer in the original bottle, together with a glass or tumbler that has been cleansed and sterilized. All milk so served shall be placed on ice or in other refrigeration and reduced to a temperature not exceeding fifty (50) degrees Farenheit, and the same shall be sold and served to patrons and customers at a temperature not exceeding fifty (50) degrees Farenheit. Modified and skimmed milk, when sold or served by restaurants in said City, shall have "Modified Milk" or "Skimmed Milk", as the facts may be, printed on the label and blown in the bottle, provided this section shall not apply to milk used only for cooking purposes. Provided further, that cream may be transferred to individual containers and provided further that drug stores may sell or serve whole milk, either in bottles or by use of milk pumps lined with non-corrosive metal with adequate agitator of a make and type approved by the Board of Health. Said pumps, when so used, shall be daily washed in warm water, cleansed in boiling water, to which has been added a cleansing agency, approved by the Board of Health, and thereafter sterilized.

Persons Infected with Tuberculosis.

Sec. That it shall be unlawful to sell milk or milk products in the corporate limits of the City of Asheville from any dairy, creamery, skimming station or other distributing agency in which persons infected with tuberculosis or other contagious or infectious disease is employed, or actually handles the same.

Certified Milk Requirements

Sec. That no milk shall be sold in the City of Asheville, as certified milk, unless the cows are inspected every week by a competent veterinarian, at the expense of the one selling the same; that no milk shall be sold in the City of Asheville, as certified milk, unless the employees and the plant and dairy are inspected weekly by the City health officer or some other competent physician, at the expense of the one requiring the service.

Certified Milk Continued

Sec. That no milk shall be sold or distributed as certified milk in the corporate limits of the City of Asheville containing a bacterial count of more than 10,000 bacteria in a cubic centimeter, or from bottles that do not contain a sterile hood, or from a cow or cows that have not been tested by a competent veterinarian and found to be free from reactors and suspects of tuberculosis and other diseases, and which cows are not under the supervision of a competent veterinarian and are maintained in a healthy vigorous condition. That the quarter, thighs, stifle, flanks, tail, setting of tail, udder, belly and fore dank of all such cows shall be kept closely clipped with a clipping machine and washed and groomed.

Employees Handling Certified Milk.

Sec. That no milk shall be sold as certified milk in the City of Asheville unless the milkers and all other workers in and around the barn and dairy are examined every thirty days by a legally licensed practicing physician, and such physician certifies to the city health officer that all persons employed in and around said cows and dairy have been examined by him, and found to be strong and healthy and to be free from tuberculosis and all other contagious or infectious diseases, and that he has made, or caused to be made, a further examination and that no carrier of a disease is employed on the premises.

Milkers and Employees must be Healthy

Sec. That no milk shall be sold in the City of Asheville, as certified milk, unless each cow in the herd is groomed daily, and her udder and under quarters washed washed daily before milking begins, and the udder and quarters of udder must be dry; the milker, in the case of hand milking, must wear a clean, clean overalls and jumper while milking, which is used for no other purpose, and the same washed and sterilized each day, and shall keep his nails manicured and clean, and cleanse his hands thoroughly before beginning to milk each cow; that the operators and assistants, where milking machines are used, must use the same equipment and precautions; that the first milk in small quantities, from each quarter, must be milked into a separate vessel and not intermingled with the milk to be sold in said City as certified milk.

Bathouse, Vessels, Equipment.

Sec. That milk shall not be sold as certified milk in said City of Asheville unless the milk room is equipped with a sterilizer and boiler, and all vessels, containers and equipment are washed in boiling water, and exposed to live steam before using or re-using.

Abortion a Bar to Certified Milk

Sec. That milk from cows infected with Bangs abortion, or suffering from severe injuries, or off feed, or with pronounced cases of indigestion, or infected with parasites or skin diseases, shall not be sold as certified milk in the City of Asheville.

Cannot Certify Skimmed or Modified Milk

Sec. That neither skimmed nor modified milk, nor milk that has been changed as to composition, nor pasteurized milk, shall be sold in said City of Asheville as certified milk.

General Provisions For The Production of Certified Milk.

Sec. That no milk shall be sold as certified milk in said City of Asheville, unless the party producing the same shall have fully complied with all the laws and ordinances governing the production of milk and milk products to be disposed of, either by wholesale or retail, and in addition thereto, shall have fully complied with all of the provisions of this sub-chapter.

Pasteurization

Sec. Pasteurized milk must be subjected, by instants zone exposure, to a temperature of 175 degrees Farenheit, or a more prolonged exposure of twenty minutes to 147 degrees, or 30 minutes to 145 degrees, and immediately reduced to a temperature by cooling not exceeding 50 degrees Farenheit, and held at not exceeding this temperature until delivered to the customer.

Creameries, Equipment and Method.

Sec. Creameries selling or distributing milk in the corporatelimits of the City of Asheville must maintain a standard of equipment and method equal to that required in this sub-chapter of retail dairymen. All such creameries, so selling or distributing, must be screened or supplied with ade quate fans, or both.

Cows Lots around Barns not Permitted.

Sec. No rent lot shall be constructed or maintained within 50 feet of any dairy barn or milk room, and the whole milk from such herd sold in the corporate limits of the City of Asheville, provided, connecting approaches may be built connecting the dairy barn with the rent lot or pasture for cows. Provided, further, hogpens or bollets shall not be permitted within 300 feet of such barn or milk room, and horses and hogs shall not be permitted, either in such barn or rent lot where such whole milk is produced.

Removal of Liquids and Solids Daily

Sec. Whole milk shall not be sold in the City of Asheville from cows or herds of cows where urine or other waste liquids from the barns are not conducted by underground pipes to a distance of not less than 50 feet, and all soiled bedding, manure and other waste solids, removed daily to a distance of not less than 50 feet from the barn, provided that cows in the herd shall not be permitted to walk in or through such waste urine or liquids, or manure or solids, and said waste liquids and solids shall not be conducted into ravines or water courses on the premises.

Milk Cooled.

Sec. Whole milk sold in the City of Asheville shall be properly cooled to a temperature not exceeding 50 degrees Farenheit immediately after milking and maintained at a temperature of not exceeding 50 degrees Farenheit until delivered to the consumer.

Conviction Second Offense Revoke License

Sec. The license of any person, firm or corporation convicted for the second offense of violating any of the terms or conditions of this sub-chapter shall be revoked by the Board of City Commissioners of the City of Asheville, and when so revoked, shall not again be renewed for a period of one year from the date of such revocation, provided, the Clerk of the Court certify to the health department each conviction.

Penalty Clause.

Sec. That any person, firm or corporation, employee, agent, city official, or any other person whatsoever, violating any of the provisions of any section of this sub-chapter, governing the production and sale of milk and milk products, or failing, neglecting or refusing to comply with its requirements, or acting in violation of the same, shall be subject to a penalty of Fifty Dollars ($50.00) for each and every such offense, and each day that any of the provisions of this ordinance is violated shall constitute a separate offense.

Repealing Clause

Sec. That all ordinances, or clauses of ordinances in conflict herewith be, and the same are, hereby repealed.

Emergency Ordinance.

Sec. That this ordinance before the immediate preservation of the public health and safety of the citizens of said City, is hereby declared an emergency ordinance, to take effect immediately after its first publication in a newspaper published in said City.

I move the adoption of the foregoing ordinance,

this the 24th day of February, 1922.

R. J. SHERRILL
Commissioner.

Approved as to form:

Geo. Pennell
Corporation Counsel.

An ordinance amending ordinances with reference to the Water Department was introduced by [illegible] and on motion duly seconded and unanimously carried was passed on its first reading.

An ordinance repealing and consolidating ordinances with reference to renting [illegible] was introduced by the Board and on motion duly seconded and unanimously carried was passed on its first reading.

[illegible] permits were granted:

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	$ 10.00
[illegible]	[illegible]	[illegible]	Road	"	" 3,800.00
[illegible]	[illegible]	[illegible]	[illegible]	"	" 150.00
[illegible]	[illegible]	[illegible]	Road	"	" 16,000.00

[illegible]

Secretary-Treasurer.

[illegible], March 1, 1922-- 11 o'clock, A. M.

The Board [illegible] session, Mayor Roberts presiding. [illegible] and approved.

[illegible] of Jones, Williams and Jones, representing [illegible], injuries alleged to have been [illegible] sidewalk on the North [illegible] Colonel V. S. Lusk.

[illegible] to the Corporation Counsel and Chief of [illegible].

(Copy of letter)

Asheville, N. C. March 1, 1922

[illegible]

[illegible]

[illegible]

Please take notice that on the 16th day of December, A. D., 1921 [illegible] I received serious bodily injuries by [illegible] the walk on the north side of College [illegible] of Asheville, at a point nearly opposite the residence [illegible] Street; that the defect or insufficiency which [illegible] a hole in said side walk into which [illegible] in falling on said side walk, the wrenching [illegible] causing a rupture, [illegible] of my kidney, [illegible], and injuries to my back, [illegible], legs [illegible]. Please take notice that I claim damages from the City [illegible] Fifteen Thousand ($15,000.00) Dollars.

ELSIE M. BARD

(MRS. C. I. BARD)

[illegible]: Jones, Williams & Jones Attorneys.

An applicant for a license to peddle Bakers Pies outside of the corporate limits of the city was referred to the Health Department for a health permit.

It [illegible] the Board that the bid of Howerton, Tirsway Company of $11,748.60 was the best and lowest bid submitted for the construction of water lines as advertised, on motion of the Commissioner of Public Works, duly seconded and unanimously adopted, it was [illegible] that the concern be awarded the contract for said work and that the Secretary-Treasurer be authorized to return the certified checks of all other bidders.

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible] Co.
Biltmore Ave.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Sulphur Springs Road	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Hogwood Road Near Creek Road	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible]

The Board of Commissioners of [illegible] met in regular session [illegible] Mr. Rose A. Logan, [illegible] and from the [illegible] to the name of [illegible] H. Calhoun, [illegible] the thirty foot right-of-way of [illegible] property and [illegible] on account [illegible].

(Copy of Agreement between Town of Woodfield and Mrs. Rose A. Logan)

STATE OF NORTH CAROLINA, County [illegible].

THIS AGREEMENT, Made and entered into this the 6th day of September, A. D. 1921, by and between the Town of Woodfield, a municipal corporation [illegible] and virtue of an act of the Legislature of North Carolina, entitled "An act to incorporate the Town of Woodfield in the County of Buncombe," [illegible] party of the first part, and Rose A. Logan (widow) [illegible] party of the second part, Witnesseth:

WHEREAS, party of the first part, for the purpose of [illegible] new street [illegible] Woodfield, [illegible] from the Swannanoa River to [illegible] Town of Woodfield, [illegible] Eastern [illegible] River, and

WHEREAS, party of the first part [illegible] by said new street:

NOW, THEREFORE, for and in consideration of the mutual covenants [illegible] hereinafter [illegible], the party of the first part hereby [illegible] to the party of the second part to [illegible], grant, [illegible] the Town of Woodfield [illegible] River in a reasonably direct location through [illegible] Street or the [illegible] Asheville Power & Light Co., [illegible] hereinafter referred to as [illegible], drains and construction according to the plans and specifications [illegible] in a map of the proposed street made by C. B. Mitchell, Civil Engineer, on June [illegible], 1921, which is recorded in the office of the Register of Deeds for Buncombe County, North Carolina in Book [illegible] at page [illegible] and [illegible] and dirt removed from the property of the party of the second part, [illegible] necessary for the construction of said street, [illegible] ENGINEERING [illegible] the ravine, South of the proposed new street, [illegible] French Broad River, at a point where said [illegible] street intersects the line dividing the Lyman lands from the lands known as the "Old Glover Home Tract", and running [illegible] said division line in a Southern direction to the brow

annot be known.

Personally, I ... for five ... to keep it in ... but as nearly as I can ... by way back from the street, but ... the present house ... I will ... down ... for children ... to approach it.

... truly yours,

W. F. Burt

... room as possible ... her for advice as to the front footage ... mission.

PETITION FOR PAVING

... Commissioners ...:

We, ... property ..., respectfully petition ... North ... Street ... pave ...

No.	Name	Frontage
...	W. F. Burt	274 ft.
...	W. ...	274
...	...	50
...	..., Mr.	150
...	...	150
...	...	100

... Petition ...

... to express the sympathy of the Board at the death of Mrs. Margaret E. ... the City be tolled for a period of three ... funeral is held during the hours of ..., on motion, unanimously adopted.

... Commissioners having learned with profound sorrow ... Hilliard, one of the founders of the ... distinguished citizen of Asheville, who ... on the 1st day of March, 1923, and whose ... City ... community, and

WHEREAS, by her death the life of Asheville, Buncombe County ... been enriched by the example of ... daily, now, therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ... AS A BOARD OF ...:

... Mrs. Hilliard the City of Asheville ... servant whose sweet ... and tenderness of face, in her many years of ... ministered to numbers of unfortunate persons ... who could not help themselves; whose life ... younger generations that have come under ... influence; and ... forever prove a shining example to those ... her.

RESOLVED, FURTHER, that the fire bell of the City of Asheville be ... for thirty minutes, and that the flag on Pack Square be ... during the hour of the funeral of Mrs. Hilliard to express, ... the sorrow of the people of this community at her death.

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes ... Board, ... furnished to the Daily Press and a copy mailed to ... Hilliard.

... adoption of the foregoing resolution this the 3rd day of March, 1923.

R. L. Fitzpatrick
Commissioner

File No 24 — Letter, &c. —

A resolution ... the Mayor-Commissioner of Public Affairs ... Municipal Finance ... of ... signed by file Financial Statement required by the Municipal Finance Act to be filed ... to the Board and, on motion, duly received and ordered filed.

RESOLUTION REQUIRING THE MAYOR-COMMISSIONER ... TO MAKE ... TO THE MUNICIPAL FINANCE ACT.

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ASHEVILLE:

That Mayor Gallatin Roberts, Mayor-Commissioner of the ... According to the ... financial statement required by the Municipal Finance Act to be filed ... before the ... of ... Commissioners, and ... of ... financial statement in Triplicate, ... within ... days ... after the ... distinct ... and ... conform ...

... resolution ... by ... duly ... Gallatin Roberts
Mayor.

An ordinance ... the Planning Ordinance of the City of Asheville was ... and, on motion duly ... unanimously passed on its first reading.

An ordinance ... with reference to the Water Department ... duly ... on ... final reading and on motion duly ... unanimously passed.

Reports from the Street, Sewer Cleaning, Water and Incinerator Departments ... Public Welfare ... Inspection, City Engineer, Chief of the Fire Department and ... Commissioner of Public Safety ... were ... and filed.

On motion, the ... was duly ... Commissioners:

E. C. Weaver ... Dixie Boone ... Commissioners ...

On motion ...

[illegible] TO CONSOLIDATE THE ORDINANCES

[illegible] TO THE WATER DEPARTMENT

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF

THE CITY OF ASHEVILLE:-

SECTION 1. ADMINISTRATION AND ORGANIZATION OF WATER DEPARTMENT.

Creation of Water Department

Sec. 1 That the Water Department of the City of Asheville shall consist of the Commissioner of Public Works, the Board of Commissioners, the Water Superintendent, the Collector of Water Rents, Plumbing Inspector, the City Plumber, and such other officers and employees as the Board of Commissioners may determine, which officers other than the Board of Commissioners shall be elected or appointed at the time the other regular officers of the City are elected, and shall serve such terms of office and receive such compensation as may be prescribed by the Board aforesaid.

Duties of Water Superintendent

Sec. 2 That the Superintendent of the Water Department under the supervision of the Commissioner of Public Works and the Board of Commissioners shall have charge and control of all public fountains, hydrants, and fire plugs, and he shall keep the same in repair and good working order, and shall at least once each week test all fire plugs and see that the same are no wise obstructed and that the water flows freely through and from the same, and shall have general supervision and control of the Water Department subject to the Commissioner of Public Works and the Board of Commissioners.

Commissioner of Public Works Authority

Sec. 3 "That as provided in the Charter "The Commissioner of Public Works shall have authority and charge over the Water Department and all employees therein, subject to the ultimate control of the Board of Commissioners, and shall have charge of the water sheds and intake from which the city takes its supply of water, pumping stations, pipe lines, filtering apparatus, and all other things connected with or incident to the proper supply of water for the city; it shall be his duty to act for the city subject to the Board of Commissioners, and secure all rights of way and easements connected with and necessary for the supply of water for the city; he shall have supervision and control of all buildings, grounds and apparatus connected therewith and incident to the furnishing of water for the city; he shall supervise the erection of water tanks and laying off pipe lines in the operation thereof."

Duties of City Plumber

Sec. 4 It shall be the duty of the City Plumber to supervise the laying of all pipes, water connections, and other mechanical work done in connection with the water Department.

Records Must Be Kept Accurately

Sec. 5 That it shall be the duty of the Water Superintendent and the Water Collector to keep all accounts, books and other records in the Water Department in accordance with the rules and regulations prescribed by the Board of Commissioners.

Rebate Prohibited Except By Commissioners

Sec. 6 That no rebates or refunds for water rent whatsoever shall be made by anyone whatsoever except the Board of Commissioners in regular session upon application of the person, firm, or corporation complaining of excessive charges and requesting rebate or refund; and any officer or employee in the Water Department making any rebate or refund will be personally liable and also his bond for the amount of such rebate or refund made without a written order from the Board of Commissioners.

SECTION 11. [illegible]

Application Must Be Made For City Water

Sec. 1 That any person, firm or corporation residing or doing business within the corporate limits of the City of Asheville and desiring to do so may take or use city water within said city limits upon complying with the provisions of this Chapter and in all other respects with all the rules and regulations prescribed of that may hereafter be adopted by the Board of Commissioners of the City of Asheville with respect to the water system; but before any person, firm or corporation shall have water connections made in any premises within the city or be supplied with [illegible] or it shall apply to the Water Superintendent for a permit giving the location where water connections are to be made, the uses for which water is requested, and the name of the plumber employed to install the fixtures in connection therewith, and deposit with the Water Superintendent sufficient funds to cover the cost of connection which shall be paid in advance by the applicant. Such application must be made by the owner of the premises or his duly authorized agent and thereupon a written permit shall be issued by said Superintendent specifying the uses applied for and allowed, and any extension or addition to the uses originally applied for can only be had upon application in writing [illegible] the same in detail.

Deposit Must Be Made Before Water Supplied

Sec. 2 All applications for city water shall be accompanied by a deposit of not less than $1.50 nor more than $100.00, the amount of the deposit to be based upon the number of hydrants or spickets or connections from which water will be used, which deposit shall be used to secure the city against loss on account of discontinuance of use of water and failure to pay rent, and in no case shall a permit be granted for use of city water until the deposit shall have been made.

Disposition of Deposit

Sec. 3 The deposit above mentioned shall be placed and kept in a separate account by the Secretary-Treasurer of the City and deposited by said officer in a separate bank account from other funds, and the deposit so made by each person, firm, or corporation using city water shall be returned to and paid over to the applicant and user of water whenever the use of city water shall be discontinued by the depositor, provided, however, that the deposit so made shall be as security to the City of Asheville for any back water rents, and upon discontinuing the use of water or the same being cut off for failure to pay water rent as prescribed in this Chapter the Secretary-Treasurer shall be authorized to pay over to the collector of water rents from the sum so deposited an amount equal to the charges due the City for water rent.

Water Charges and Rates

Sec. 4 That the water rates and charges for use of water from the municipal water supply as hereinbefore provided shall apply to all consumers of water and that the rate and charges for the same shall be:

Minimum rates per month, 50¢
allowing 2,500 gallons

First 15,000 gallons per month
20¢ per 1,000 gallons

Next 185,000 gallons per month
15¢ per 1,000 gallons

All over 200,000 per month
10¢ per 1,000 gallons

Failure To Pay Charges Water Must Be Cut Off

Sec. 5 That it shall be the duty of the Water Department to have all meters read and amounts due computed and statements prepared for the amount of water consumed during each month as shown by the reading of the meter on or before the last day of each month, and that all charges for water and meter rents for the succeeding month shall be paid on or before the 10th day of each month, and upon the failure to pay the water rent due on the date set forth above it shall be the duty of the Water Superintendent to have the water cut off from all premises where the same have not been paid as hereinbefore provided.

Charge for Turning On Water After Being Cut Off

Sec. 6 That when water has been cut off for the non-payment of water rent or charges, or for any violation of the provision of this Chapter, the water shall not be turned on again until the sum of 50¢ is paid for shutting off and turning on said water

Penalty for Turning On Water After Being Cut Off

Sec. 7 That it shall be unlawful for any person, firm, or corporation to turn on the water for any place when the same has been cut off for failure to pay water rent as hereinbefore provided, or for the violation of any section of this Chapter, and any person firm, or corporation turning on the water after the same has been cut off for any of the causes set forth in this Chapter shall be subject to a minimum penalty of $50.00.

Furnishing Water To Consumer [illegible]

Sec. 8 That it shall be unlawful for any person, firm, or corporation to furnish water to any consumer whose water has been cut off for failure to pay water rent.

Attachments Must Be Made Under Supervision of Water Supt.

Sec. 9 That all attachments by ferrule or otherwise to any of the water mains or distributing pipes shall be done under the supervision and direction of the Water Superintendent.

[illegible]

Sec. 10 That applications for taps on private pipe lines will only be granted upon the written consent of the owner of such pipe line, which consent must be duly acknowledged before an officer authorized to administer oaths under the laws of the State of North Carolina, and the same must be secured by the party desiring to make the tap, and shall be filed and kept as a permanent record by the Water Superintendent.

[illegible]

Sec. 11 That persons having taps made and failing to use the water will be required to pay the costs of making said taps, including costs of stop cock and key box.

[illegible]

Sec. 12 That all persons using city water must keep their own water pipes and all fixtures connected therewith in good repair at all times so as to prevent leaks and waste of water and protected from frost; and must provide a stop and waste cock properly located inside the building and have the pipes so arranged that the water can be drawn from them whenever there is danger of freezing.

[illegible]

Sec. 13 That in addition to the right to enter premises for the purpose of reading, inspecting or repairing any meter the officers and employees of the Water Department may enter the premises of any water taker at any reasonable time to examine the pipes and fixtures, the quantity of water used, and the manner of its use, and in case of fradulent use of city water on the part of any water taker or unnecessary waste of water it shall be the duty of the Water Superintendent to cut off the supply of city water from such water taker and to refuse the further use of city water until the water taker shall comply with the provisions of this Ordinance.

[illegible]

Sec. 14 That it shall be unlawful for any person, firm or corporation to interfere, hinder or refuse permission to any officer or employee of the Water Department to enter upon any premises of a water taker for the purpose of reading, inspecting or making an examination to ascertain if any of this Chapter is being violated.

Construction and Building Purposes

Sec. 15 That any person, firm or corporation desiring to use water supplied by the city in construction work of any kind or for building purposes shall first make application to the Water Superintendent for a permit under the same conditions and requirements as those set forth in Sec. of this Chapter, and deposit a sum of money sufficient to cover the expense or cost of tapping the city main, laying pipe to curb of side walk, laying sewer pipe to curb of side walk, the placing and removing sewers, also the charge for water likely to be used in said construction work or building according to the estimate of the Water Superintendent for all of

the aforementioned expenses, costs and water charges and shall obtain from the Water Superintendent a certificate that the said deposit has been made as aforesaid, which said certificate shall be presented to the Building Inspector of the City of Asheville when application is made for building permit, and in default of which last mentioned requirement the application may be denied until the provision of this section is complied with.

Conditions Upon Which Use of Water Is Permitted

Sec. That the City of Asheville shall not be liable for any damage that may result to consumers from the shutting off of water mains or service for any purpose whatever even in cases where no notice is given, and all contracts, agreements, or permits for the use of city water are made expressly subject to all of the provisions of this Chapter.

[illegible]

Meters Required

Sec. That no person, firm or corporation will be supplied without a meter being installed and must be good working condition as provided in this Chapter.

Conditions For Setting Meters

Sec. That upon application to the Water Department for a permit to use city water and make connections herefor the Water Superintendent shall immediately report to the City Plumber, who shall proceed to make the connections and to set and install meter and other necessary connections to the same, which meter shall be and remain the property of the City of Asheville.

Rent For Use Of Meter

Sec. Every person, firm or corporation having a meter as hereinbefore provided shall pay a minimum monthly rental for the use of the same of 10¢ per month up to 2500 gallons of water used, and a rental of 1¢ additional for each thousand gallons of water used over and above the first 2500 gallons used, which rent shall be paid at the time of collection of charges for use of water as herein provided; and the Water Department shall keep all meters so installed in good working repair and order.

Location Of Meters

Sec. All meters shall be placed whenever practicable at a point of convenient access to the officers and employees of the Water Department, and where it becomes necessary to set the same on private property the owner or lessor of the premises shall give a free right of ingress and egress to and from said meter box at all times to the officers and employees of the City of Asheville for reading, inspecting, and repairing meters aforesaid whenever in their judgement it is necessary to read, repair, or inspect the same.

Separate Meters And Cut-Offs Required

Sec. That each and every house in the City of Asheville shall have a separate meter independent from that belonging to any other premises and a separate cutoff shall be put in for each meter so that same may be cut off independently, and in all cases where this is done the cut-offs aforesaid shall be in the street.

Restrictions On Cut-Offs

Sec. That all meters and cut-offs shall be under the absolute control of the Water Department of the City of Asheville and in no case will said cut-offs or meters be allowed to be handled by any other one than an officer or employee of the Water Department; but all expenses of placing and keeping in repair such cut-offs shall be borne and paid by the property owner; and in no case will cut-offs be placed within the premises when houses supplied have a frontage on a public street or alley, but in such case these special cut-offs must be in the street or alley.

Stop and Waste Cock for Each Improved Lot

Sec. That at least one stop and waste cock must be placed upon each improved lot to which city water is supplied, the location of which must be approved by the Water Superintendent.

ARTICLE IV. PRIVATE FIRE SERVICE.

Private Fire Lines

Sec. 1. That all private fire lines shall be metered at the expense of the applicant, user, or property owner of the property for which the said fire line meter is put in, and application for use of city water for private lines must be made in accordance with the provision of Section hereof.

Methods Furnished Private Fire Service

Sec. 2 Any private fire service furnished by means of automatic sprinklers or hose outlets in any building or buildings shall only be furnished when supplying pipe or pipes are properly metered under the supervision of the Water Superintendent and the Chief of the Fire Department, the meter lines to be located in the side walk, street or alley outside of the property line, and not otherwise. The City of Asheville shall furnish all meters and set them at actual cost.

Charge For Private Fire Service

Sec. 3 Any person, firm or corporation using private fire service shall be charged for such service the following rate: A minimum charge of 25¢ per month on each 100,000 sq. ft. of floor surface or any fraction thereof in such building so protected, but in no case shall the charge for such service be less than 50¢ per month. Provided, however, that in case water is used through this private fire service for other purposes, such private line shall immediately come under that of the requirements of regular consumers of water and shall be charged for at the same rate in addition to the fire protection rate.

ARTICLE V.

Sec. 1 The Board of Commissioners upon special request in writing in its discretion will permit the use of free water to all strictly charitable institutions including public libraries, cemeteries, schools and churches, to an amount not to exceed 15,000 gallons of water per month, but any amount used in excess of 15,000 gallons shall be charged to such institution at the same rate and collected as from other consumers, and the charge for the same must be paid on or before the 10th day of each succeeding month for the previous month or the water will be cut off and no free water furnished; but the consumption of free water as provided herein shall be subject to all of the restrictions provided for in this

Sec. 2 No free water will be furnished any charitable institution or for any charitable purpose until the premises upon which the water is to be used has been metered properly under the supervision of the proper city official, the cost of which shall be paid by such applicant and the same rental charge made as to other consumers.

Sec. 3 Before any free water shall be furnished any institution under the provisions of this article it shall apply to the Board of Commissioners in regular session giving them the information required of private consumers and such other data and information as may be required, and upon the Board of Commissioners granting a permit for the use of free water it shall be the duty of the Water Superintendent and the City Plumber to immediately install meters as provided for the uses of other premises, and to have the meters of such institutions carefully read, and to collect for any excess over and above the amount herein donated, and upon ten days failure to pay for excess water used after a bill is rendered for the same, the Water Superintendent shall cut the water supply of such institution off, and before the water can be turned on the requirements of this Chapter in this particular will have to be complied with.

Meters Installed Under Free Water Use

Sec. 4 It shall be the duty of the Water Superintendent and the City Plumber immediately upon the passage of this ordinance to install meters at all institutions receiving free water as herein provided, and thereafter to see that meters are read and the proper charges for excess water consumed and meter rents charged and collected.

ARTICLE VI.

Fire Hydrants

Sec. 1 That it shall be unlawful for any person, firm or corporation to take water from any fire plug in the City of Asheville, excepting, however, the city officials and employees in the discharge of their duties as such, except as set forth in the next section herein.

Water From Fire Hydrant Permitted--- Restriction

Sec. 2 That no person, firm or corporation shall make any connections to any fire plug or hydrant without first applying to the Board of Commissioners for a permit, and upon making such application shall furnish the Board of Commissioners with the necessary information as to the purpose for which the water will be used, the location of the hydrant or plug from which the water is to be taken, and any other information in connection therewith which may be required by said Board. If permission is granted it shall be the duty of the Secretary-Treasurer to inform the Water Superintendent of such permit in writing and thereupon said Water Superintendent shall calculate approximately the amount of water to be used by the applicant and shall require a deposit from such applicant sufficient to pay the city for all water so consumed and used.

Fountains

Sec. 3 That it shall be unlawful for any person, firm or corporation to water any animal at any public fountain within the corporate limits or to throw drinks, trash, or other matter in any fountain aforesaid.

Drinking Water From Watering Trough or Fountain

Sec. 4 That it shall be unlawful for any person, firm or corporation to take from and carry away water from any watering trough, drinking fountain, or public fountain in the City of Asheville in any vessel, or by any hose or other device; provided, however, that the provisions of this section shall not apply to any person drinking water at a drinking fountain or his watering of any animal at a regularly established watering trough.

Interfering Or Loafing At a Public Fountain

Sec. 5 That it shall be unlawful for any person, firm or corporation to loaf about, play with or in any way tamper with any public water trough, drinking fountain, or other public fountain in the City of Asheville.

ARTICLE VII. GENERAL RESTRICTIONS AND REGULATIONS.

Sprinkling Lawns

Sec. 1 That city water shall not be used for the purpose of sprinkling lawns or gardens except between the hours of 6 o'clock P. M. and 8 o'clock A. M.

Sprinklers

Sec. 2 That street or yard sprinklers cannot be converted into hydrants, jets or fountains, nor the waters therefrom be allowed to run to waste in the gutters of the streets, nor upon lawns or in yards, and the same must be kept closed except when used for sprinkling purposes only.

Hose and Private Fountains Prohibited Certain Times

Sec. 3 That no hose or private fountain shall be run in time of fire except for the extinguishment of the same, nor during a period of drought when a resolution is passed by the Board of Commissioners requiring the discontinuance of the use of the same during a period of drought or shortage of water.

Injury to Water Equipment Prohibited

Sec. 4 That it shall be unlawful for any person, firm or corporation to remove, damage, injure, tamper or in any manner interfere with any water pipe, sewer pipe, meter, or other equipment connected with the Water Department of the City of Asheville.

Permission Granted To Non-Residents

Sec. That persons, firms or corporations residing or doing business outside of the corporate limits of the City of Asheville may be granted permits to use water from the Asheville water supply, but any permit granted for the use of water from the Asheville water supply and all persons, firms or corporations using water at the time of the passage of this ordinance shall be granted and the privilege of continuing the use of the water subject to all of the terms and conditions of this Chapter with reference to resident consumers, and also to such other restrictions as may be embraced in this Article.

Application For Water

Sec. That any person, firm or corporation residing or doing business outside of the corporate limits of the City of Asheville desiring to use city water shall first apply in person to the Board of Commissioners at a regular meeting of said Board for a permit and must as a condition precedent comply with all of the terms and conditions set forth in this Chapter applicable to water consumers residing or doing business within the corporate limits of said City.

Limitations On Non-Resident Users

Sec. Any permit for water to consumers residing outside of the corporate limits shall be made subject to all of the terms and conditions of this Chapter; and in addition thereto, any permit so granted shall be subject to the following additional restrictions:

(a) In case of shortage of the municipal water supply for any reason the supply to consumers outside of the corporate limits shall be cut off first.

(b) In no case will persons residing outside of the corporate limits be permitted to use city water when there is not an adequate supply of water for all of the uses and purposes of the residents and the inhabitants of the city, both for ordinary use, and an adequate reserve for use in case of fire.

(c) All of the restrictions and requirements of this Article.

Meter Connection To Water Service Required

Sec. It shall be the duty of every person, firm or corporation using water from the Asheville water supply who resides or does business outside of the corporate limits of said City and consumes city water as aforesaid to permit the Water Department to install a water meter which shall remain the sole property of the City of Asheville, and to give a written permit to be duly executed and acknowledged before an officer authorized to administer oaths under the laws of the State of North Carolina authorizing and empowering the officers and employees of the Water Department to enter upon the premises at any time for the purpose of reading meters, inspecting or repairing the same and cutting off or discontinuing the water supply.

Rate Of Rental

Sec. Every person, firm or corporation having a meter as provided for in the preceding Section hereof shall pay a minimum monthly rental for the use of the same of 20¢ per month up to 2500 gallons of water used and a rental of 2¢ additional for each thousand gallons or fraction thereof of water used over and above the first 2500 gallons consumed, which rent shall be paid at the time of collections of charges for use of water as herein provided, and the Water Department shall keep all meters so installed in good working repair and order.

Rate, Water And Charges

Sec. That the water rates and charges for use of water by non-resident consumers from the municipal water supply as hereinbefore provided shall apply to all consumers of water residing outside of the corporate limits and that the rate and charges for the same shall be:

Minimum rate per month, $1.00
allowing 2500 gallons

First 10,000 gallons per month
40¢ per 1,000 gallons

Next 185,000 per month
30¢ per 1,000 gallons

All over 200,000 per month
10¢ per 1,000 gallons

provided, however, the provisions of this Section shall not apply to any contracts with the United States Government for the supplying and furnishing water to any public health hospital or government reservation, nor shall the same apply to contracts to be executed at any time with said government for the purposes aforesaid.

Non-Resident Users Must Comply By March 1, 1928

Sec. That from and after March 1st, 1928, all persons, firms or corporations using water from the Asheville water supply residing or doing business outside of the corporate limits of said city shall be required to comply with the terms, conditions, and requirements of this chapter and upon the failure of any person, firm or corporation to comply with any of the terms aforesaid, it shall be the duty of the Water Superintendent to immediately cut off the water of such users, provided, however, that all persons, firms or corporations using water outside of the corporate limits shall have until April 1st, 1928, in which to make deposit with the Water Superintendent as in this Chapter provided, and to file with said Department the written permit to enter upon the premises for the purpose of reading meters, and making inspections as hereinbefore provided.

Water Department To Begin Immediate Installation Of Meters

Sec. It shall be the duty of the officers and employees in the Water Department to begin immediately the installation of meters for all persons, firms, or corporations who reside outside of the corporate limits, and install the same as rapidly as possible, provided, however, that such users shall on or before the 1st day of April, 1928, pay said Water Department the cost and charge for setting and installing meters.

Water Cut Off

Sec. Upon failure of any person, firm or corporation using water outside of the corporate limits of said city as hereinbefore provided failing or refusing to permit the installation of meters or granting permission to enter premises as hereinbefore provided, or failing to pay charges for water and meter rents, shall have the water supply cut off as in case of resident users, and it shall be the duty of the officers and employees of the Water Department to cut off the water upon a violation of any of the provisions of this Chapter.

General Penalty Clause

Sec. That any person, firm or corporation, city official, employee or agent whatsoever violating any of the provisions of any Section of this Chapter, or failing, neglecting or refusing to comply with its requirements, or acting contrary to the same, where no specific penalty is hereinbefore provided, shall be subject to a penalty of $50.00 for each and every such offense.

Repealing Clause

Sec. That all ordinances or clauses of ordinances in conflict herewith be, and the same are, hereby repealed.

Emergency Ordinance

Sec. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said City, it is hereby declared an emergency ordinance to take effect immediately after its passage and publication in a newspaper published in said City.

I move the adoption of the foregoing ordinance

This the 28th day of February, 1928.

Approved as to form:

GEO. [illegible]

Corporation Counsel.

Saturday, March 4, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts residing. The minutes of the previous meeting were read and approved.

The request of Mr. W. Collins for ten days vacation which he was entitled to from the Police Department but did not get was, on motion, taken under advisement.

On motion, the City Health Officer was instructed to publish monthly a report, showing the official work of the Health Department of the City of Asheville for the month ending March 1st, 1922, and delivered by the water readers of the Water Department.

An application for a private fire plug at rear #3 Cumberland place was, on motion, referred to the Committee of Public Safety for investigation and report.

An ordinance amending the Building Ordinance of the City of Asheville was introduced for second reading.

On motion, the ordinance placed on its third and final reading according to statutes in such cases made and provided.

AN ORDINANCE TO AMEND THE BUILDING ORDINANCES OF THE CITY OF ASHEVILLE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That that certain ordinance amending, revising and codifying the building laws of the City of Asheville, adopted and approved by the Board of Commissioners on November, 1915, be and is hereby amended by inserting after section 64 the following:

"Provided, however, that nothing in this Ordinance shall prevent the installation, maintenance and use of an approved ventilated Fairmont safe or vault building within said City."

Section 2. That all ordinances or clauses of ordinances in conflict herewith are hereby repealed.

Section 3. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said City, shall be in force as an emergency ordinance to take effect immediately upon its first publication in a newspaper published in said City.

In witness whereof the foregoing ordinance, this the 3rd day of March, 1922.

R. L. Fitzpatrick
Commissioner of Public Safety.

Approved as to form:
Geo. P. Knell
Corporation Counsel.

This being the day heretofore set for the hearing relative to the City's advertisement for receipt of bids for the furnishing of eight safe cells to be used in the office of the Secretary-Treasurer of the City, and in the City Clerk's office, the following bids were opened and duly read aloud:

Wendy-Jefferson Co.,		
1- A "B" Diebel Safe 33" wide, 64" high and 20¼" deep		360.00
Powell & Wynne Co.,		
One B Diebel Safe: First safe 43-1/8 wide 62" high 30" deep		403.80
Third safe 33-1/8" wide, 62" high 19" deep		301.92
Berry B. Cobb		
2- S. V. Type Safe Cabinets		2,131.10
Less 5% for Cash	106.56	2,024.54
2- V. V. Type & 1 L. E. Type Safe Cabinets		1,544.10
Less 5% for Cash	77.21	1,466.89
3- S. V. Type Safe Cabinets		1,644.10
Less 5% for Cash	82.21	1,561.89

On motion, all bids submitted were taken under advisement.

On motion, the following building permit was granted:

Fred A. Myers — Frame House — 189 Michigan Avenue — Estimated cost $1,200.00

On motion, adjourned.

Secretary-Treasurer

Monday, March 6, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. F. Mahon, representing one Marshall Byrum, filed claim in the amount of $100.00 on account of alleged damage to claimant's property [illegible] truck hauling material to the Asheville Mill on account of breaking through Circle Street in a part of said street [illegible] pavement and surface was on the [illegible] person [illegible] premises [illegible] client.

[illegible] matter, [illegible], was taken under advisement.

STATE OF NORTH CAROLINA,
BUNCOMBE COUNTY

Marshall Byrum
vs
The City of Asheville.

VERIFIED CLAIM FOR DAMAGE

Now comes Marshall Byrum and files this, his claim against the City of Asheville, North Carolina, and says:

1. That the [illegible] of Asheville, North Carolina, [illegible] on the [illegible] day of February 1922.
2. That the [illegible] of Asheville, North Carolina.
3. That the [illegible] in the following [illegible]:
4. That Circle street [illegible] runs to the rear of the [illegible] Marshall Byrum [illegible] which is the [illegible] driven on [illegible] street broke through the [illegible] the surface [illegible] the back yard and [illegible] to run into [illegible] and on the back [illegible] the premises of [illegible] Marshall Byrum.
5. That the claimant demands the payment of the sum of $100.00 for said damage [illegible] request the city to repair [illegible] street [illegible] the [illegible] for the damage may be done to his property.

This the 4th. day of March, 1922.

Marshall Byrum

Service of the foregoing notice is [illegible] the [illegible] Board, [illegible] the [illegible] of March, 1922.

The City Engineer submitted an estimate of cost of [illegible] sewer through the property of S. C. Mitchell [illegible] T. M. Y. [illegible] Biltmore Avenue at the intersection with Choctaw Street.

On motion, the Commissioner of Public Works was authorized to enter into [illegible] with the [illegible] that the owners of the property in question [illegible] their proportionate cost [illegible] upon the completion of the work.

March 3rd, 1922

The Hon. Mayor & Commissioner,

Gentlemen: The following is my estimate of the cost of storm sewer through lot of Mitchell's on the corner of Biltmore Ave. & Choctaw St.

24" inch T. C. pipe furnished & laid 54 ft @	2.00	$108.00
15 " " " " " " 6 " @	.75	4.50
Manhole complete 9 feet high.		50.00
Engineering		5.00
Total		167.50

Very Respectfully,

P. M. Lee, City Eng.

On motion, Mr. I. V. Truby was granted permission to put up a small [illegible] on the sidewalk in front of his property on Market Street near the end of the bridge with the understanding that same is to be kept [illegible] at all times and is subject to removal at the order of the Board.

Mr. [illegible] of the Valley Service Company, appeared before the Board and asked that he be relieved of certifications [illegible] he was unable to bid on but one [illegible] and that his bid be considered for [illegible].

Motion taken.

On motion, the following building permits were granted:

Elmer E. Truby	Garage	10 Dickens Street	Estimated cost		$ 60.00
M. V. Ellis	1 room House	Army Street	"	"	300.00
Wm. L. Fair	1 room House	Biltmore Avenue	"	"	1,500.00

Secretary-Treasurer

Tuesday, March 7, 1922-- 11 o'clock, A. M.

The Board of Commissioners [illegible] met in regular session, Mayor Roberts presiding. The minutes of the last meeting were read and approved.

A delegation representing the property owners on Biltmore Avenue appeared before the Board in relation to their petition asking that all of the property owners affected by [illegible] agree to sell their property, that the said street not be torn up [illegible] during [illegible] the material suitable for that purpose.

It was the opinion of the Board that the street railway company is [illegible] and therefore, the Board would [illegible] to [illegible] accede to the request of the property owners and [illegible] at once due to the fact that the street [illegible] pending the decision of the Board as to [illegible] street.

The motion, [illegible] under advisement.

(Page [illegible])

To the Honorable Board of City Commissioners:

We, the [illegible] property owners and citizens of Biltmore Avenue [illegible] Board not to go to the great expense of [illegible] Avenue, [illegible] Street entirely new from start to [illegible], and to [illegible] with a material suitable for this purpose.

We [illegible] have [illegible] successfully in other [illegible] City, [illegible] can be done on Biltmore Avenue with as [illegible]. Please do not put us to such a great expense when taxes [illegible].

Name	Address
C. [illegible]	421 Biltmore Avenue
[illegible] W. McDowell	413 Biltmore Ave.
Mrs. C. McDowell	174 W. Chestnut St.
Wm. T. Erwin	" " " "
M. Helen Erwin	" " " "
Willie Erwin	" " " "
L. M. Baker	397 Biltmore Ave.
[illegible] Baker	393 Biltmore Ave.
D. I. Combs	
E. A. [illegible] Revell	329 Biltmore Ave.
Sister M. [illegible]	St. Joseph's Sanitorium
John [illegible]	374 Biltmore Ave.
[illegible]	328 to 330 Biltmore Ave.
John D. Hermann	149 Biltmore Ave.
[illegible] Wolfe	145 Biltmore Ave.
W. A. Buchanan	262 Biltmore Ave.
Ella M. Kemp	202 Biltmore Ave.
Mary [illegible]	194 Biltmore Ave.
Rachel Lane	190 Biltmore Ave.

[illegible] Biltmore Ave.
[illegible]
[illegible]
[illegible]

Wednesday, March 8, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, the following building permits were granted:

John T. Watson	1 room Store	0 S. Beaucatcher St.	Estimated cost	$ 60.00
James L. Massey	Repairs	23 Pine Street	" "	200.00
W. W. Hill	Garage	17 Carter Street	" "	50.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, March 9, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. J. A. Rankin appeared before the Board and explained that some years ago in connection with the purchase of property from Messrs. J. M. & W. C. McConnell, said property located on the intersection of Broadway and Lexington Avenue that there was a charge of $10.70 against said property for sewerage connection which he had understood from Mr. McConnell had been exempted by the Board.

This matter, on motion, referred to the Clerk for investigation of the records and report.

On motion, the following building permits were granted:

J. T. Wright	Garage	277 Broadway	Estimated cost	$ 2,500.00
Jno. Wall	Garage	144 Montford	" "	600.00
Samuel Rankin	Garage	144 Rankin Ave	" "	250.00
C. Hall	Addition	0 Cumberland St.	" "	50.00
Thomas Starnes	1 room	Woodward Pl.	" "	100.00
Mrs. Minnie	5 room House	Cornelia	" "	2,500.00

On motion, adjourned.

Secretary-Treasurer.

Friday, March 10, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding The minutes of the previous meeting were read and approved.

The complaint of one F. J. West relative to the bad condition of Turner Street was, on motion, referred to the Commissioner of Public Works.

A reported leak in the roof of the Public Library was also referred to the Commissioner of Public Works.

The request of a Mr. Baker that Tacoma Street be worked out and rounded up and put in passable condition was, on motion, referred to the Commissioner of Public Works.

On motion, the paving assessment charged against the Library property on Church Street was ordered exempted ($32.91).

It appearing from the minutes of the proceedings of the Board of Commissioners that the charge for a sewer connection to the property formerly belonging to the McConnell Brothers on Lexington Avenue was exempted, the Water Superintendent was, on motion authorized and instructed to charge the amount of $10.70 off the books. (See Minute Docket #12, page 217)

Reports from the Street, Street Cleaning, Health and Incinerator Departments, the Public Health Nursing Association, Building Inspector, Electrical Inspector, Plumbing Inspector, Sealer of Weights and Measures and the Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

Frank Townsend	Repairs	83 W. Chestnut St.	Estimated cost	$ 300.00
Asheville Construction Co	Garage	Waynesville Avenue	" "	6,000.00
John Renfro	6-rm House	Linden Avenue	" "	4,000.00
E. H. Luckett	5-rm House	Evelyn Place	" "	2,500.00
John Renfro	5-rm House	Flint & W. Chestnut	" "	3,000.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, March 11, 1922-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of Mr. Frank Loughran for permission to construct a six story building at the intersection of Haywood Street and Walnut Street was, on motion, held up pending an investigation by the Board as to the feasibility of widening Walnut Street at its intersection with Haywood Street.

A proposition to purchase the old radiators taken out of the Market House some time ago was, on motion, referred to the Commissioner of Public Works.

The request of one Charlie Redmon for permission to use the back of the East street kindergarten lot as a garden was also, on motion, referred to the Commissioner of Public Works.

One E. S. Massey having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Mike Arakas & Ernest Calegerakis	Kitchen	88 Patton Avenue	Estimated cost	$ 88.00
S. D. Stroup	Garage	19 Henrietta St.	" "	75.00
Miss Julia W. Goodrich	Repairs	Victoria Road	" "	450.00

On motion, adjourned.

Secretary-Treasurer.

Monday, March 13, 1922-- 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding, Commissioner Sherrill absent on official business, the minutes of the previous meeting were read and approved.

Mr. Frank Loughran appeared before the Board and requested that the building permit for the erection of a six story business house at the intersection of Walnut Street and Haywood Street, costing approximately $100,000. be either granted or refused at once as a delay will cause a serious financial loss.

On motion, it was ordered that the permit requested be granted.

The complaint of Mr. W. M. McDowell of an alleged public nuisance on Choctow St was on motion, referred to the Commissioner of Public Safety with the request that he have the police make an investigation and report conditions found.

On motion, one Dr. H. B. Osborne was granted a refund of the excess water rent charged against his residence,7 Montford Park Place,on account of the meter failing to register properly.

On motion, the following building permits were granted:

Frank Loughran	6 story Building	Haywood & Walnut Streets	Estimated cost	$100,000
Ben Boyd	4 room house	Buffalo Street	" "	300

On motion, adjourned.

Secretary-Treasurer.

Tuesday, March 14, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

On motion it was ordered that the Water Superintendent be authorized and instructed to charge off his books the account against Amanda Ray, 58 Max Street, for 60 cents.

This action taken on the explanation of the water rent collector that the account in question was made through error against a vacant house.

On motion, it was ordered that the paving assessments charged against the property of Mrs S. E. Morrison be exempted.

Mch. 8, 22.

Mr. C. Bartlett,

Dear Sir:

Mr. S. E. Morrison of West Asheville said to me a few days ago. that you had presented him with a bill for street paving in front of his house, that matter came up some time ago and I took up with the City Board. Mayor Roberts and Mr. Sherrill and myself went over there and investigated the matter after which the Board acted on it and Mr. Roberts told me that he had found it an unjust claim and had the matter cancelled--think you will find this has been settled.

Be glad to hear from you.

Yours respect J. A. White.

On motion, the following building permits were granted:

V. S. McDowell	Recover House	97 Beaumont St	Estimated cost	$	75.00
F.F.& C. N. Brown	Remodel Bldg	33 Patton Ave.	"	"	7,000.00
Robt. J. Lewis	Funeral House	97 College St.	"	"	20,000.00
Clyde Carscaddon	Repairs	34 Virginia Ave.	"	"	500.00
O. V. Hines	9 rm House	104 Second Ave.	"	"	3,000.00
J. D. Pool	Garage	58 Arlington St.	"	"	100.00
C. B. Ware	"	791 Haywood Road	"	"	30.00

On motion, adjourned.

Secretary-Treasurer.

March 14, 1922-- 4 o'clock, P. M.

Pursuant to the City's advertisement the Board of Commissioners met for the purpose of considering bids submitted for the purchase of $545,000 City of Asheville bonds. Mayor Gallatin Roberts presiding, all members present and participating.

On motion, duly seconded and unanimously adopted, the Clerk was instructed to open and canvass all bids submitted, whereupon the following bids were opened and read:

		For 5% Bonds	For 5½% Bonds	For 5½% Bonds
	Wm. R. Compton Co.			
	All Bonds or none	542,000.00		
	Commission $3,000.00			
	Wm. R. Compton Co.			
	All Bonds or none			
	Premium $11,020.00		556,020.00	
I	Caldwell & Co.			
	Refunding Bonds		201,800.00	
	Street Improvement Bonds		151,350.00	
	Public Improvement Bonds		196,755.00	
	Premium $4,905.00			
I	Kauffman Smith Ernest Co.			
	Refunding Bonds		202,046.00	
	Street Improvement Bonds		150,067.00	
	Public Improvement Bonds		196,930.00	
	Premium $4,043.00			
I	R. M. Grant & Co.			
	Refunding Bonds		202,907.50	
	Street Improvement Bonds		150,250.00	
	Public Improvement Bonds		196,081.50	
	Premium $2,239.00			
	Bankers Trust Co.			
	Refunding Bonds		202,303.00	
	Street Improvement Bonds		151,725.00	
	Public Improvement Bonds		197,242.00	
	Premium $6,270.00			
	Detroit Trust Co.			
	Refunding Bonds	202,932.00		
	Street Improvement Bonds	150,503.00		
	Public Improvement Bonds	198,192.00		
	Premium $6,557.00			
I	Neil, Roth & Co.			
	Refunding Bonds	202,250.00		
	Street Improvement Bonds	151,687.50		
	Public Improvement Bonds	197,193.75		
	Premium $6,131.25			
	Breed, Elliot & Harrison			
	Refunding Bonds		204,100.00	
	Street Improvement Bonds		151,100.00	
	Public Improvement Bonds		199,350.00	
	Premium $9,550.00			
	Detroit Trust Co.			
	Refunding Bonds		203,420.00	
	Street Improvement Bonds		152,882.00	
	Public Improvement Bonds		203,912.00	
	Premium $20,214.00			
I	Wachovia Bank & Trust Co.			
	Refunding Bonds		202,420.00	
	Street Improvement Bonds		151,815.00	
	Public Improvement Bonds		197,359.50	
	Premium $6,594.50			

X Bid on all Bonds or none

On motion duly seconded and unanimously adopted it was ordered that the Board take a recess until 5 o'clock, P. M., the Clerk, in the meantime to tabulate all bids submitted.

On motion, adjourned

Secretary-Treasurer.

March 14, 1922- 5 o'clock, P. M.

The Board of Commissioners met pursuant to adjournment; Mayor Gallatin Roberts presiding, all member present and participating.

It appearing to the Board that the bid submitted by The American Trust Company for Wm. R. Compton of $556,020.00 for the $545,000.00 City of Asheville bonds bearing interest at 5½ per cent was the best and highest bid submitted, on motion of Mayor Gallatin Roberts, seconded by Commissioner R. J. Sherrill and unanimously adopted, it was ordered that the bonds be awarded to that concern on its bid as stated above.

PROPOSAL FOR BONDS

Mar 14, 1922.

Mr. F. L. CONDER,
Secretary-Treasurer,
Asheville, N. C.

Dear Sir:

For 5½% bonds of the City of Asheville, described in the annexed advertisement which is hereby made a part of this bid, we will pay:

For $200,000 Refunding Bonds and
For $150,000 Street Improvement Bonds and
For $195,000 Public Improvement Bonds Five hundred fifty six thousand twenty Dollars ($556,020.00).

In addition thereto we will pay accrued interest from date of bonds to date of delivery and will accept delivery at the United States Mortgage and Trust Company, New York City, at 11 A. M., April 1, 1922, of all or such portion of said bonds as may then be ready for delivery with the approving opinion of Chester B. Masslich, Esq., it being understood that the proceeds of the $200,000 Refunding Bonds are required on said date for the payment of bonds then maturing; if any bonds, with such approving opinion, shall not be ready for delivery at such place on or before April 6, 1922, we shall not be required to accept delivery of such bonds.

The above bid is for all bonds bid for or none.

(Note: Bidders may draw a pen through the last line above if desired; in which case the bid will be treated as separate for each issue).

We enclose herewith Check for Ten Thousand, nine hundred Dollars ($10,000.00) (2% of the face value of the bonds bid for) in money, or a duly certified check payable to the order of the City of Asheville, or of F. L. Conder, Secretary-Treasurer thereof, for the same amount, such enclosure to be returned to the undersigned if this bid is not accepted; otherwise to be deposited by the said Secretary-Treasurer or by the City, and when the bonds are delivered and paid for under the terms of this bid, considered as an advance part payment therefor, or to be retained as and for liquidated damages in case the undersigned fails to take up and pay for the bonds. It is to be understood that if the "all or none" clause is stricken from the foregoing offer and if the undersigned should be awarded less than all of the bonds bid for, the said deposit will be returned to the undersigned upon deposit of money or a like certified check, subject to the same conditions, for 2% of the face value of bonds awarded the undersigned.

American Trust Company
William R. Compton Company.

No addition or alteration is to be made to this proposal except as hereinabove expressly provided, and the same is not to be detached from the annexed advertisement.

There being no further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

[illegible] Portlett cannot be accepted for $20.37.

[illegible] City Engineer that a sidewalk be constructed only [illegible] Front [illegible] with 32 feet of [illegible] sidewalk.

Mar. 2[illegible], 1922.

[illegible]

[illegible]: [illegible] Paving on Bartlett St. [illegible] Lot #[illegible], on two cards; [illegible] while only 10 feet of [illegible].

[illegible]:

[illegible] Front 32 feet @ 1.4[illegible] --$46.[illegible]

[illegible] Front 10 feet @ 1.4[illegible] [illegible]

Amount of overcharge $ 20.37

[illegible],

F. M. Ice, City Tax.

On motion, [illegible] the Special Tax Collector, A. H. Belmont [illegible] worthless check given by Mrs. Mary Wynne [illegible] Jimmy [illegible].

[illegible] recommendation of the City Tax Collector.

[illegible] the refunds were granted:

[illegible]	32 Montford Ave.	Paving tax	$ 299.00
[illegible]	103 Dr. Chas. Street	" "	1,722.00
[illegible]	[illegible] Patton Avenue	" "	3,900.00

[illegible],

Secretary-Treasurer.

Thursday, March 16, 1922-- 11 o'clock, A.M.

[illegible] in regular session, Mayor Roberts [illegible] Minutes [illegible] and approved.

[illegible] to Modern Woodmen of the World, [illegible] for the Murphy Shows to exhibit on [illegible] during the week beginning March 20th.

[illegible] Shows, assured the Board that every precaution [illegible] shown in every respect.

[illegible] examination by a Board it was ordered that the [illegible] permit in the City of Asheville during the week [illegible] under the new tax of $600.00

[illegible] representing a Mrs. Bradford, appeared before the [illegible] immediately with the construction of a storm [illegible].

[illegible]tion, taken under advisement.

[illegible] the following was granted:

H. H. Belcher [illegible] 17 Moody Ave. Estimated cost $ 50.00

Secretary-Treasurer.

Friday, Mar[illegible], 1922-- 11 o'clock, A.M.

The Board [illegible] in regular session, Mayor Roberts [illegible] Minutes of the [illegible] were approved.

[illegible].

On motion, [illegible] was granted Mrs. L. A. Fox and [illegible] Taxation Act [illegible] consideration in each case.

The request of a Mr. Burleson for a water line to extend in [illegible] near [illegible] was referred to [illegible] Water Works for [illegible] report.

[illegible] was granted Mrs. W. T. Prevatt to [illegible] by [illegible], Commercial, [illegible].

Mr. C. [illegible] before the Board and called attention to the fact that [illegible] Planning Commission [illegible] submitted to [illegible] function and now for the [illegible] to sub-[illegible].

It was on motion of Mr. Neal that the Planning Commission [illegible] anything until [illegible].

On motion, [illegible] City Engineer [illegible] of benefits [illegible] paving, [illegible] by reason the property of Mr. [illegible].

On motion, Mr. T. Y. Pentecy was appointed member of the City [illegible] with interested owners with reference to [illegible] proposed improvement.

[illegible]

The [illegible] City Engineer [illegible] Mr. J. C. Mitchell [illegible] property of [illegible] Mr. Mitchell [illegible] Street was granted [illegible].

Storm [illegible] and [illegible] Sand Co. [illegible].

Labor

[illegible]	[illegible]	Day by Mason	$ 30.00
[illegible]	[illegible]	" " "	24.[illegible]
[illegible]	[illegible]	" " "	2.[illegible]
[illegible]	@ [illegible]	" " "	1.00
[illegible]	@2[illegible] M	" " "	[illegible]
2 Cl[illegible]	[illegible]		
	@ 3.00	" " "	6.00
Drayage		" " "	[illegible]
[illegible]		" " "	[illegible]
[illegible]		" " City	[illegible]
[illegible]		" " "	[illegible]
Sand	@ 2.[illegible]	" " Mitchell	4.[illegible]
			104.00
Amt paid by Jno C. Mitchell			[illegible]
" " " City			[illegible]
			104.00
Mitchell is chargeable with 2/3 of total			136.00
The City is chargeable with 1/3 of total			[illegible]
			104.00
The City owes Mitchell			4[illegible]

F. M. Ice City Eng.

[illegible] City's advertisement for the receipt [illegible] approximately 40 tons of Class C, Bell and Spigot 16" [illegible] and road all bids submitted, whereupon [illegible] were opened and read:

Sec[illegible] Steel & Cement Co., Asheville, N. C.
16" Class C, Bell & Spigot pipe, f.o.b. cars Asheville per ton $42.70
Fittings f.o.b. Asheville per pound 7.2 cents.

Clay [illegible], Asheville, N. C.
16" Class C, Bell & Spigot pipe, f.o.b. cars Asheville, per ton 40.00
[illegible] all bids submitted.

[illegible] from City Engineer, Health Officer, Inspector Department, City Physician, Chief Inspector, Building Inspector, Building Code Committee were read and, on motion, [illegible].

On motion, the following building permits were granted:

W. A. Redmond	Corner of Lexington Ave.	Estimated cost	$ 10,000.00
[illegible]	Mill	" "	2,000.00

(Chief of Police's approval of Broadway storm sewer)

The following communication:

[illegible] storm sewer, as located [illegible] report of Mr. Bradford, Mr. Bowen, Mr. Pulliam on the [illegible] Bell.

[illegible]	$ 6.75	233.52
" "	10.00	2,093.50
Total		$ 2,327.02

[illegible] feet long.

Very [illegible],

P. W. Lee, City Eng.

[illegible].

Secretary-Treasurer.

Saturday, March 18, 1922--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. [illegible] read and approved.

[illegible] granted to Miller Bros. Shows to [illegible] under the auspices of the Elks Club license tax of $[illegible].

[illegible] of Mr. Edward V. Wright for permission to tap the city's main [illegible] secure water to develop mineral springs located [illegible] Mountain Park, or motion, taken under advisement.

[illegible], representing the local Y.M.C.A. requested that the [illegible] property formerly owned by the Y.M.C.A. on [illegible] street.

[illegible], taken under advisement.

[illegible] the property [illegible] of Mr. [illegible] be opened from [illegible] Hickory, N. C., [illegible].

On motion [illegible] petitioning [illegible] improvement [illegible] described [illegible].

On the [illegible] for Commissioner of Finance, [illegible] 10" cast iron [illegible].

[illegible], Dare Electric Light Co. [illegible] bids, returned unopened, [illegible].

A proposition [illegible] Department was, [illegible], taken under advisement.

(Copy of proposition).

[illegible], N. C.

Gentlemen:

[illegible] of the [illegible] addition [illegible] Water Company.

[illegible] SAME AGREEMENT, for the [illegible]:

(1) One S. E. Tube Sand Cement {Pump / Engine} [illegible]
(2) " " " " " " {Pump / Engine} [illegible]
(3) " " " " " " {Pump / Engine} [illegible]

[illegible] of $17,[illegible] for [illegible] (2) Sets; $[illegible] for [illegible] (1) Set; $[illegible] for [illegible] (1) Set.

Very truly yours,

THE DARE CARBON COMPANY
By Percy D. [illegible]
[illegible] Manager.

On motion, the following [illegible] were granted:

Carl M. Logan	[illegible] Bungalow	Logan Ave.	Est. cost	$ [illegible]
Carl M. Logan	" "	" "	" "	[illegible]
Mrs. W. A. Shaw	Repairs	46 Hector St.	" "	[illegible]
Mary Shands	"	Pennant St.	" "	[illegible]
S. P. Walker	[illegible] Addition	[illegible] the Ave.	" "	[illegible]

On motion, [illegible].

Secretary-Treasurer.

Monday, March 30, 1925-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A committee, representing the Central Methodist Church Sunday School, the Trinity Church Sunday School, the Chestnut Street Methodist Church, the Baptist Missionary Training School, the Baptist Sunday School, Womens Christian Temperance Union, and other religious organization, appeared before the Board and filed petitions requesting the City and County Commissioners and all officers in charge of the [illegible] to see that the laws of North Carolina in regard to games of chance or gambling be fully obeyed.

Judge J. Frazier Glenn, acting as spokesman, stated that a number of violations of [illegible] had been called to the attention of the citizens during the last eighteen months. He called particular attention to the carnivals in the city, stating that he is reliably informed that games of chance are being conducted in connection with the [illegible]. He also mentioned the bazaar held in the Auditorium some time ago, and stated that such games of chance are demoralizing influences connected with such games of chance are detrimental to the youth of the city and county than all the churches and other religious organizations could overcome.

(## Resolutions at end)

The committee present were informed by the Commissioner of Public Safety and the Chief of Police that explicit instruction to stop wheels of fortune and gambling operated within the incorporate limits of the City.

In this connection Dr. P. R. Terry, chairman of the Elks Charity Fund, stated that in view of the attitude of the churches and other religious organizations in the city in regard to carnivals, he wished to cancel the license granted Walter Rose, Showman to exhibit in the city under the auspices of the Elks Charity Fund.

Dr. Terry's request was considered by the Board, representatives of the various organizations [illegible] present and, on motion, it was ordered by the Board that the amount paid by the organization be refunded.

Dr. [illegible] formally protested to the adoption of the proposed amendment to the [illegible] ordinance, stating that said amendment by its wording recognized the right of gambling in the city and that he wished to put the Board on notice that personally he would do everything in his power to prevent the adoption of the proposed amendment and would use every effort to induce the Board to repeal same.

Mr. J. Frazier Glenn then went on record as favoring Dr. Roberson's stand, stating that he [illegible] his sentiment in regard to same.

Mr. W. W. McDowell was then heard before the Board with the request that the [illegible] fire hazard on Chestnut Street be immediately abated.

The matter was referred to the Commissioner of Public Safety and Commissioner of Public Works; the Mayor stating that he would be glad to accompany the Building and Sanitary Inspectors when the investigation was made.

Chas. Neal Smith, having filed bond, court record, Doctor's certificate and [illegible], as required under the ordinance regulating public service [illegible], his application having been approved his application for a chauffer's license was then [illegible] that he be granted the license requested.

A petition, [illegible] requesting the Commissioner of Public Works to proceed in the [illegible] to condemn the necessary right of way and to open on the east side of Coxe Street between First Street and Aston Street, was presented to the Board and, on motion, adopted.

[illegible] PETITION [illegible] COMMISSION
[illegible] IN [illegible] COXE STREET WEST FROM
[illegible] STREET TO ASTON STREET.

WHEREAS; the [illegible] petitioned [illegible], thereby causing [illegible] Street [illegible] Pastor [illegible] and

[illegible] the opinion of the Board of [illegible] public [illegible] the [illegible] of pre-emptions [illegible] immediately [illegible] now, therefore

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE, in [illegible] assembled:

That the Commissioner of Public Works, [illegible], in the manner [illegible] of Section [illegible] of the Charter of the City of Asheville, and [illegible] of the [illegible] of Coxe Street [illegible] Aston Street.

I [illegible] foregoing resolution, [illegible] by [illegible], A. D., 1925.

R. J. [illegible]

Secretary.

[illegible]

On motion, [illegible] the following bonds, which were approved:

Mr. Ollie Kaffin	[illegible]	[illegible]	"	"
W.A. Griffin &				
C. J. Cook	" "	[illegible]	"	"
S.E. Jones	[illegible]	[illegible]	"	"
W.C. Wooten	[illegible]	[illegible]	"	"

(XX Copy of Resolutions)

PASSED SUNDAY MARCH 29th, 1925
BY SEVERAL [illegible] SUNDAY SCHOOLS.

Whereas, the evil effect of games of chance on the Youth of the land is [illegible] both by Church and State, and

Whereas, [illegible] organizations in our midst, [illegible] imported [illegible], [illegible] conditions for such [illegible], to the [illegible] detriment [illegible] citizens,

Therefore, be it resolved, by the members of the Central Methodist Sunday School, [illegible] earnestly request the City Commissioners the Court, Convicted [illegible] all [illegible] officers in charge of enforcing our laws, to see that the laws of North Carolina in regard to games of chance or gambling are faithfully obeyed.

CENTRAL METHODIST SUNDAY SCHOOL,
I. D. Rogers, Supt.

Edwin I. [illegible], Secretary.

First Baptist Church, March 29, 1925.

RESOLUTION

Whereas, it has come to our attention that there has been a flagrant disregard of the gambling laws of our City by certain carnivals and,

Whereas, the Baptist Ministers' Conference, feel that it is their duty and express the sentiment of the best element of our citizenship and,

Whereas, we feel that it is only necessary to call the attention of our Mayor and his associate members of the City Council to this matter,

Therefore, be it resolved:

First that we, the Baptist Ministers' Conference of the City of Asheville, assembled on this date do respectfully and urgently request that the entire constabulary of the City of Asheville be given instructions by those in authority to have this gambling nuisance suppressed.

Second, that those found guilty of this wrong be brought to justice and dealt with after the law in the same way that any other criminal would be dealt with for the same offense.

Third, that we pledge to the administration our support in all their effort to faithfully enforce every ordinance on our statute books, especially those that have to do with the morals of our community.

Respectfully submitted
J. B. Grice, Chairman
Robert H. Spire, Secretary

On motion, adjourned.

Secretary- Treasurer

Tuesday, March 21, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Dr. C. V. Reynolds, the City Health Officer, reported that in company with the Building Inspector and the Sanitary Inspector, he had visited the house of Mr. W. M. McDowell and found the house and grounds in an unsanitary condition in every respect. The Building Inspector reported that the house is a menace from the stand-point of safety and should be torn down.

Dr. Reynolds stated that at the present time the house was occupied by a family who had been an object of charity for several years and that the mother was sick and several of the children of school age were ill.

On motion, this matter was referred to the Commissioner of Public Safety, Public Health Nursing Association and the Superintendent of Public Schools for investigation.

WATER LINE ON MOREL MILLS ROAD

The request of one Ernest Vance that the water line on Morel Mills Road be extended to his property on that street was, on motion, referred to the Superintendent of Public Works.

CHAUFFEUR'S LICENSE

One J. W. Weighston, having filed bond, court record, doctor's certificate and application, as required under the ordinance regulating public service automobiles, all papers being approved his application for a chauffeur's license to operate such vehicle in the city was, on motion, approved and it was ordered that the license be issued.

BUILDING PERMITS

On motion, the following building permits were granted:

J. A. Gruver	4 room Bungalow	West Asheville	Estimated cost	$ 1,100.00
A. A. Ballard	Garage	22 S. French Broad	" "	120.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, March 22, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

APPLICATIONS FOR CHAUFFEUR'S LICENSE

The applications of Dewey Worley and Chas. Penland for public service chauffeur's licenses were presented to the Board and, on motion, held up pending investigation as to the character of the applicants.

W. T. HENDERSON--WATER FRONT CRAVEN STREET

It being reported to the Board that the family of W. T. Henderson, residing on Craven street, is in a deplorable condition, being looked after by the Associated Charities, Henderson himself being confined in the county jail, it was ordered, on motion, that the water which has been cut off by the Water Department be turned on immediately and a check issued to said department for $2.40, the amount of the water rent due to date.

ORDINANCE REGULATING THE SALE OF MILK

An ordinance amending the ordinance regulating the sale of milk and milk products in the City of Asheville was presented to the Board and, on motion, passed on its first reading.

CARNIVALS

An ordinance prohibiting the exhibition of carnival companies and shows of like character within the incorporate limits of the City of Asheville was presented to the Board and, on motion, passed on its first reading.

MISS O'CONNELL--TUBERCULAR SANITARIUM FURMAN AVE & CHESTNUT ST

A petition protesting against the granting of a permit to a Miss O'Connell for the erection of a structure at the corner of Furman Avenue and Chestnut Street presumably to be used as a tubercular sanitarium was presented to the Beard and, on motion, filed pending the application for the permit.

To the Honorable Mayor and the
Beard of Commissioners of the
City of Asheville.

Gentlemen:

We the undersigned residents and property owners on Furman Avenue, Chestnut Street and near-by neighborhood, most earnestly and emphatically protest against granting a building permit for the proposed structure to be erected by Miss O'Connell at corner of Furman Avenue and Chestnut Street. We are advised that Miss O'Connell claims to be building said structure for use as a hotel, but we are reliably informed and verily believe that it is her purpose and intention to use same for accommodation of persons afflicted with tuberculosis or who have been so afflicted and are what are termed convalescent or closed cases. We submit that the building and use of said structure for either of said purposes will greatly damage our property and endanger the health of our families and the neighborhood.

We ask that we may have notice and an opportunity to appear before your honorable Beard and oppose the granting of any such application as is referred to above, or any other application for a permit in our neighborhood for a tubercular sanitorium.

Very respectfully,

Marcus Erwin	Sara W. Durand	Jos. D. Pool
Mrs. Marcus Erwin	Viola J. Carr	Charles N. Parker
Mrs. Ella D. Vanneman	Elizabeth Bernard	Miss O Lunsford
Mrs. C. S. Kinsland	Mrs. G. L. Sarsfield	Mrs. Britt
Mr. L. T. Cooley	Nonna Griffin	K. M. Yonge
Mrs. S. R. Flud	Edna H. Capps	Gilbert H. Morris
M. S. Flud	Mr & Mrs C. C. Bell	B. Geo. Barber
Mrs. George Barber	Mr & Mrs I Goldstein	Newart Sarafian
J. C. Holman	Mr & Mrs J. M. Lorick	Mrs. Sarafin
Clara L. Holmes	Mr & Mrs Thad E. Clayton	Guy Crawford
Edith Holmes	Mrs. Guy Crawford	

STORM SEWER BROADWAY

T. L. Dockery, Special Agent for the City, reporting that he had been unable to reach an agreement with interested property owners with reference to securing a right of way for the construction of a concrete storm sewer through the property of Mrs. Bradford, Sumner, Philips and others, near Broadway, the Mayor was, on motion, authorized to issue his writ for a jury to condemn the land necessary for said right of way.

March 21, 1922.

Honorable Mayor and Board of Commissioners,
City of Asheville.

Gentlemen:

In Re: Storm Sewer-Broadway

Pursuant to your instruction, I beg to advise that I have conferred with interested property owners with reference to securing a right of way for the construction of a storm sewer over the property of Mrs. Bradford, Sumner, Phillips and others near Broadway, and have been unable to come to any agreement whatsoever.

Respectfully submitted:

T. L. Dockery, Agent.

BUILDING PERMITS

On motion, the following building permits were granted:

Stuart L. Roberts	6 room House	Annandale & Linden	Estimated cost	$ 3,000.00
T. M. Brown	Garage	238 Ashland Ave.	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, March 23, 1922-- 11 o'clock, A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Y [illegible] HEALTH DEPARTMENT

A communication from the CityHealth Officer recommending that the Board officially recognize the Boy Scouts through the Health Department was read and, on motion, it was ordered that the Boy Scouts of Asheville be officially recognized as agents under the jurisdiction, guidance and direction of the Commissioners through the Health Department.

March 23, 1922.

Mr. R. J. Sherrill, Commissioner Public Works
City of Asheville, N. C.

Dear Sir:

Through the Boy Scouts Master, the services of the Boy Scouts have been tendered to the Health Department in order that they may "produce satisfactory evidence that they have rendered service in some effort recommended by the public health authorities in the interest of public health".

If it meets with your approval it would be well to officially recognize them as agents under the jurisdiction, guidance and direction of the Commissioners through the Health Department.

Personally I believe that they would be of great service to us and of benefit to themselves. We desire especially at this time to use them, in an intensive campaign against the fly.

Yours very truly,
C. V. Reynolds,
Health Officer.

[illegible] ENTERTAINMENT

On motion, the ladies of the Baptist Church of West Asheville were granted permission to use the West Asheville school for practice preliminary to giving an exhibition in said school with the understanding that they are to bear the extra expense of janitor and with the further understanding that the school building is to be used under regulations prescribed by the Superintendent of City Schools.

[illegible] EXHIBITION OF CARNIVALS

An ordinance prohibiting the exhibition of carnival companies and shows of like character within the incorporate limits of the City of Asheville was presented to the Board and, on motion, passed on its second reading.

[illegible] MILK

An ordinance amending the ordinance regulating the sale of milk and milk products in the city was, on motion, passed on its second reading.

[illegible] CHAUFFEUR'S LICENSE

Dewey Worley and Charlie Penland, having filed recommendations, doctor's certificate, court records and bonds, as required under the ordinance regulating the conduct of public service chauffeurs in the City, on motion their applications for chauffeur's licenses were approved and it was ordered that they be granted the licenses requested.

[illegible]

On motion, the following building permits were granted:

C. R. Shepard	1 room addition	104 Pine St	Estimated cost	$ 50.00
Ralph Young	Garage	Herron Avenue	" "	100.00
Mrs. C. N. Webster	4 room house	137 Biltmore Ave	" "	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Friday, March 24, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible] CITY HALL ADDITION

This being the day according to the City's advertisement for the opening of bids for the extension to the City Hall, the Clerk was, on motion, instructed to open and read all bids submitted, whereupon the following bids were opened and read:

Asheville Home Builders, Inc.,	$12,242.00
Z. V. Creasman	9,800.00
L. L. Merchant	9,600.00

It appearing to the Board that the bid of $9,600.00, submitted by L. L. Merchant was the best and lowest bid received, on motion duly seconded and unanimously adopted, it was ordered that the contract for the work be awarded to Mr. Merchant on his bid as stated above.

[illegible] PROHIBITING CARNIVAL COMPANIES

An ordinance prohibiting the exhibition of carnival companies and shows of like character within the incorporate limits of the City of Asheville was presented to the Board and, on motion, passed on its third and final reading and being for the immediate preservation of the public peace and safety of the citizens of Asheville was declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said city.

AN ORDINANCE PROHIBITING THE EXHIBITION OF CARNIVAL COMPANIES AND SHOWS OF LIKE CHARACTER WITHIN THE INCORPORATE LIMITS OF THE CITY OF ASHEVILLE

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1 That no carnival company, show or combination of shows of like character, by whatsoever name called, which gives week stand exhibitions under canvas or fills week stand engagements under canvas , and which is composed of more than two distinct attractions, shall be permitted to operate, exhibit, run or to be erected within the incorporate limits of the City of Asheville.

Section 2. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of the City of Asheville, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said city.

I move the adoption of the foregoing ordinance, this the 22nd day of March, A. D., 1922.

R. L. Fitzpatrick,
Commissioner.

Approved as to form:

Geo Pennell
Corporation Counsel.

[illegible] MILK & MILK PRODUCTS

An ordinance amending the ordinance regulating the sale of Milk in the City of Asheville was presented to the Board and, on motion, passed on its third and final reading and being for the immediate preservation of the public peace and safety of the citizens of Asheville was declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said city.

ORDINANCE AMENDING THE ORDINANCE REGULATING SALE OF MILK IN THE CITY OF ASHEVILLE

BE IT ORDAINED BY THE BOARD OF COMMISSIONER OF THE CITY OF ASHEVILLE:

Section 1. That section 1 of the Ordinance Regulating the manner of production and sale of milk and milk products in the corporate limits of the City of Asheville be, and the same is hereby amended by striking out the period after the work "milk" in the last line thereof and inserting a semi-colon; and further amended by inserting after said semi-colon in the last line thereof after the work "milk" the words, "Provided that no person, firm or corporation shall sell of offer for sale milk or milk products in the City of Asheville in or from any bottle, can, tub, case or other container marked, stamped, blown or in any manner printed or marked with the name or identifying mark of any other person, firm or corporation.

Section 2. That this ordinance, being for the immediate preservation of thepublic peace and safety of the citizens of the City of Asheville, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in the City of Asheville.

I move the adoption of the foregoing ordinance, this the 22nd day of March, A. D., 1922.

Approved as to form: R. J. Sherrill Commissioner
Geo Pennell, Corporation Counsel

The City Engineer submitted his report showing the total cost and amount due Contractor E. T. Belote for the construction of a storm sewer on Coleman Avenue.

On motion, a voucher was ordered issued in favor of Mr. Belote for $728.04, the amount due him and the City Engineer's report was ordered filed.

Storm Sewer Coleman Ave. March 17, 1922

Concrete Culvert	32.5		
Reinforced Concrete	16.12 yds	@ 22.40	361.09
Plain Concrete	9.10 "	@ 19.60	178.36
Concrete foundation for Paving	9.05 "	@ 18.80	170.14
Force Acct			19.25
	Total		$ 728.84

Labor			222.00
35 bags Cement		@ .80	28.00
4 yds Sand		@ 1.50	6.00
5 " Stone		@ 3.75	18.75
Drayage			3.00
Inspection			34.50
	Total done by the City		312.25
	" " " E. T. Belote		728.84
	" cost		1041.09

B. M. Lee, City Eng

Reports from the Street, Street Cleaning, Health and Incinerator Departments, the Public Health Nursing Association, City Plumber, Building Inspector, Plumbing Inspector and Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

C. W. Cannon	8 room Residence	West & North Sts.	Estimated cost	$2,000.00
R. B. Payne	5 room "	Galax Avenue	" "	1,800.00
Dixie Poster Co.	Billboard	Merrimon Avenue	" "	100.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, March 25th, 1922. - 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The application of one R. E. Sams for permission to peddle salve manufactured by himself, through agents in the city, was on motion referred to the Corporation Counsel for investigation and report.

On motion one B. H. Pace was granted permission to substitute a bond signed by C. C. Willis and himself in lieu of the bond originally filed by him with his application for license as public service chauffeur.

On motion the following building permits were granted:

Mrs. Florence B. Johns	5 room bungalow	Chestnut Street	Est. Cost	6,000.00
J.H.Everett	Store & 4 room apartment and a garage	Horney Heights W.A.	" "	2,500.00
Carl Briggs	5 room house	Highland Street	" "	3,000.00

On motion, adjourned.

Secretary-Treasurer.

Monday, March 27th,1922- 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

This being the day according to the City's advertisement for the receipt of bids on 42 tons of Class"C" Bell and Spigot 16 inch cast iron pipe, the Clerk was on motion instructed to open and read all bids submitted,whereupon the following bids were opened and read to the Board.

Southern Steel & Cement Company,Asheville N. C.
Class "c" Bell and Spigot 16 inch cast iron pipe
F.O.B.cars Asheville, per ton $40.90
Fittings for same, F.O.B.Cars Asheville, per lb. .054

Kelly and Wilson, Asheville, N. C.
Class "B" or "C" 16 inch,Bell and Spigot cast iron pipe, F.O.B. cars Asheville, per ton 40.90
Fittings for same,F.O.B.Cars Asheville, per lb. .05½

It appearing to the Board that the bid of the Southern Steel and Cement Company was the lowest and best bid received, on motion, it was ordered that the contract for the furnishing of approximately 42 tons of Class "C" Bell and Spigot, 16 inch cast iron pipe, together with the necessary fittings be awarded to said concern at the price as stated above.

Requests for street lights on Electric Street and just off Clingman Avenue near the mattress factory, was on motion, referred to the Commissioner of Public Works for investigation and report.

On motion the following building permits were granted:

J.H. Bosses	Repairs	106	Broad St.	Estimated Cost	225.00
Mr. Smathers	Garage	Rear	23 Clingman	" "	30.00
Harry Finkelstein	Repairs		21 Biltmore	" "	2300.00
W. B. Nixon	3-6 room houses		Maxwell St	" "	15000.00
R. J.Echard	6 room bungalor	Pine Grove & Delaware		" "	3000.00

There being no further business, the meeting on motion, adjourned.

Secretary-Treasurer.

Thursday, March 30, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

LANDSCAPE SERVICE COMPANY--MR. McGUIRE

The proposition submitted by Mr. J. McGuire of the Landscape Service Company to treat the trees on the High School grounds and at Aston Park was, on motion, referred to the Mayor for investigation and report.

GRANTS PHARMACY --[illegible]

The application of a representative of Grants Pharmacy for permission to advertise the said pharmacy by the Andes Medicine Shows was, on motion, taken under advisement.

REFUNDS OF WATER RENTS

On motion the following refunds of water rents were allowed:

Vonno Gudger	Ralph St.	Excess	29.74	Rebate allowed		14.87
Mrs. Sarah Knight	430 Haywood Rd	"	1.50	"	"	.75
E. P. Bledsoe	20 Woodfin Place	"	6.43	"	"	3.22
M. Y. Angle	138 Weaver St	"	.60	"	"	.30
W. D. Tennent	98 College St.	"	.60	"	"	.30
Mrs. J. A. Keith	115 Haywood St.	"	4.50	"	"	2.25
A. E. Belk	113 Penn Ave.	"	4.75	"	"	2.37
Thos. Bishop	62 Hall St.	"	5.10	"	"	2.55
C. V. Callahan	68 Hall St.	"	5.25	"	"	2.62
R. V. Britner	281 Ashland Ave.	"	6.31	"	"	3.15
J. K. Chambers	36 Vance St.	"	3.97	"	"	1.98
Mrs. F. H. West	1 Oak Park Rd.	"	1.30	"	"	.65
F. S. Sluder	26 Woodfin St.	"	4.58	"	"	2.29
Miss Carrie Schartle	36 Orange St.	"	3.20	"	"	1.60
St. P. Zumbrunner	283 Merrimon Ave.	"	10.47	"	"	5.23
L. D. Alley	52 Elizabeth St.	"	1.40	"	"	.70
J. W. Neely	18 Broadway	"	1.15	"	"	.57
Y. M. C. A.	Broadway	"	13.05	"	"	6.52

E. F. Scott	28 Maxwell St.	Excess	4.05	Rebate Allowed		2.02
J. K. Bell	70 Magnolia Ave.	"	2.66	"	"	1.33
S. B Cathey	Carolina Lane	"	5.50	"	"	2.75
V. Curetor	426 S. French Broad	"	13.99	"	"	6.99
Mrs. Gordon Porter	58 Bartlett St.	"	1.40	"	"	.70
J. E. Ralinger	26 Ora St.	"	1.50	"	"	.75
G. N. Denton	80 Ora St.	"	3.00	"	"	1.50
Mrs. E. C. Knight	318½ Biltmore Ave	"	2.85	"	"	1.42
E. E. Reed	Woolsey	"	13.12	"	"	6.56
John Slagle	Eugene Ave.	"	1.75	"	"	.87

W. M. Martin and Noah Murrough, representing the directors of the colored hospital now under construction, appeared before the Board and requested an appropriation to help defray the expenses of the erection of the building.

This matter, on motion, taken under advisement.

The Corporation Counsel's report showing his investigation of the request of Mr. R. E. Sams for permission to peddle salve in the city gratis, was presented to the Board and in view of the information therein contained Mr. Sam's request was respectfully refused.

March 27, 1922.

To the Hon. Mayor and
Board of Commissioners of
the City of Asheville, N. C.

Gentlemen: Re: R. E. Sams tax matter.

In reply to your request for legal information as to the Special License Tax ordinance levying a tax on peddlers of medicines within the corporate limits of the City of Asheville, I have to advise that the ordinance aforesaid provides for a special license tax of One Hundred and Fifty ($150) Dollars per annum; Seventy-five ($75) Dollars per month and Seven and one-half ($7.50) Dollars per day"on any persons who shall carry from place to place any goods, wares or merchandise, except food products, and offers to sell the same and actually peddles or barters the same shall be deemed a peddler"; and shall pay the license tax set forth above.

Your communication is not very clear, but I take it that you are requesting information as to procedure for releasing the applicant, Mr. R. E. Sams, from the payment of this tax, and in reply I have to advise that, in my opinion, Mr. Sams, or any person peddling medicines within the corporate limits of the City would be liable therefor. In case he employed more than one person to peddle his medicine, a tax would have to be paid on each person so peddling, as the ordinance especially provides for the collection of the tax in personam, and not one to be collected from firms or corporation. However, if you desire to make an exception you can amend the ordinance by providing that any person manufacturing products within the corporate limits of the City and exposing the same for sale, by peddling, would be exempt, or you could overlook the fact of peddling and not collect the tax or repeal the tax. These are the only courses left open, however.

With reference to the first suggestion, I deem it my duty to at least suggest that this method would be subject to attack as to invalidity, because it makes an exception in favor of residents. I am not in a position to fully advise you in connection therewith, as the Supreme Court of the United States has recently handed down a decision interpreting a similar ordinance which effected carnicals in which, if the newspaper reports are true, the Board of Commissioners had no authority to exempt vendors at Fairs and prohibit those appearing at other times. My information as to this decision is gathered from the associated press reports of the same, and of course I am unable to advise you fully until I see the context of the decision.

Very respectfully.

P/D

Geo Pennell
Corporation Counsel.

BRYANT PENLAND--PUBLIC CHAUFFEUR'S LICENSE

One Bryant Penland, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

One Harvey Owneby, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

BUILDING PERMITS

On motion, the following building permits were granted:

Mrs. Lula McKinney	near Haywood Rd	4 room House	Estimated cost	$	600.00
C. N. Lominac	56 Pearson Drive	1 room Shop	"	"	200.00
W. R. King	27 Buffalo St.	Bath room	"	"	200.00
Mrs. M. B. Franklin	Galax Park	Sleeping Porch	"	"	300.00
R. L. Pittillo	115 Wellington Ave	Recover House	"	"	150.00
Sam H. Johnson	9 Aston Place	Repairs	"	"	1,000.00
Howard A. Wright & R. V. Morrow	Linden & Robindale	7 room House	"	"	4,500.00
Robt. Ingall	95 Livingston	Repairs	"	"	100.00
F. W. Raoul	Albermarle Park	Garage	"	"	400.00
Mrs. E. E. Sumner	299 Biltmore Ave.	Repairs	"	"	150.00
L. B. Jackson	Pisgah Avenue	6 room House	"	"	5,000.00
L. B. Jackson	Pearson Drive	2- 6 room Houses	"	"	5,000.00 each

On motion, adjourned.

Secretary-Treasurer

Friday, March 31, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

FIRE DEPARTMENT--FIRE ALARM EQUIPMENT CHANGES

Chief of the Fire Department, A. L. Duckett, appeared before the Board and called attention to the fact that the construction now being carried on in connection with the addition to the City Hall would necessitate a change in the location of the fire alarm equipment and asked for instructions.

It was suggested to Chief Duckett that he take this matter up with Architect Smith in charge of the work and after a thorough investigation make his recommendation to the Board.

HAYWOOD STREET--PARKING

A committee, representing the Haywood Street merchants, appeared before the Board and asked that some immediate change be made in the parking of vehicles on the east side of this street, stating that the present arrangements greatly interfered with business.

After some discussion all members of the committee present agreed with the Board of Commissioners that the only thing to do was to limit parking on the east side of Haywood Street to fifteen minutes, but no definite action was taken pending a recommendation from the Commissioner of Public Safety.

C. G. HENNIGER--SURFACE WATER ON CENTER STREET

The complaint of Mr. C. G. Henniger that the surface water from Center Street was running off the street into his basement, thereby damaging his property was, on motion, referred to the Commissioner of Public Works for investigation and report.

C. W. LINEBERRY--PUBLIC CHAUFFEUR'S LICENSE

One C. W. Lineberry, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

MONTHLY REPORTS

Reports from the Street, Street Cleaning, Health and Incinerator Departments, City Plumber, Building Inspector, Plumbing Inspector, and Sealer of Weights and Measures were read and, on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

City of Asheville	School Building	West Asheville	Estimated cost	$	110,379.00
Mrs. A. L. Denchfield	6 room bungalow	Blair Street	"	"	3,500.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, April 1, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

MENT.

On motion, free license was granted the manager of the colored baseball team of the city to advertise the games with wagons driven through the public streets provided the Board reserves the right to revoke the license at any time within its discretion should the said advertisement become in any manner a nuisance.

On motion, the following building permits were granted:

F. N. Somerville	5 room Bungalow	20 Starnes Ave.	Estimated cost	$2,000.00
A. H. Lapatra	5 " "	Baker Avenue	" "	
Oscar Peterson	Garage	375 S. Fr. Broad	" "	1,000.00
Maud Cox	"	114 Pearson Drive	" "	125.00
J. W. McElreth	Recover House	79 Central Ave	" "	400.00
Mrs. Lyda Garrett	2 room addition	42 Ashland Ave	" "	200.00
				100.00

On motion, adjourned.

Secretary-Treasurer.

Monday, April 3, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of Attorney J. C. Adams, representing the owner of the property on the corner of First and Church streets that a curb be set on the south side of First Street from Church Street to the rear of the building was, on motion, referred to the Commissioner of Public Works with power to act.

A petition requesting water, light and sewer facilities for South Asheville was also, on motion, referred to the Commissioner of Public Works.

(Copy of Petition)

Asheville, N. C.
March 29, 1922

City Commissioners
Asheville, N. C.

Gentlemen:

We the undersigned property owners and tax payers desire to have water and lights and sewer connections in South Asheville.

Signed	Signed
Sam Patton	James Joseph
Dock Southers	E. W. Kiibler
Harold Hemphill	John Ramseur
Joseph G. Lance	Laura E. Patton
Wm. C. Burgin	Addie Avery
John Bagsdale	Thomas F. Smathers
Geo A. Walker	B. P. Hemphill
Orange McLain	L. B. Haynes
E. C. Ragsdall	Sam Withers
Andrew Clark	J. A. Flynn

On motion, the following building permit was granted:

H. B. Posey	Garage	19 Richmond Avenue	Estimated cost	$ 150.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, April 4, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The proposition of Mr. J. T. Horney to erect a band stand in Horney Heights Park and to assist in purchasing the necessary seats if the city would agree to let the band, on the days it was scheduled for West Asheville, play in this park, also his proposition to erect an arch near Haywood Road in the road leading to the park entrance and place lights thereon provided the city would maintain them was, on motion, taken under advisement.

HORNEY HEIGHTS

On motion, Thursday, April 13th, was declared Community Day for the citizens of West Asheville to work in connection with cleaning up Horney Heights Park.

SEWER LINE SOUTH OF HAYWOOD ROAD

A map or plat, prepared by the City Engineer, was, on motion, adopted as the zone of benefits and damages on account of the proposed construction of certain sewer lines on the south side of Haywood Road in West Asheville and Mr. E. B. Wright, Plumbing Inspector, was appointed special agent to confer with property owners with reference to securing a right of way for said sewers.

A petition requesting the installation of lights on View Street was, on motion, referred to the Commissioner of Public Works for investigation and report.

(Copy of Petition)

TO THE HONORABLE MAYOR AND BOARD OF
CITY COMMISSIONERS OF THE CITY OF ASHEVILLE.

We the undersigned taxpayers and citizens herein petition you honorable board to locate two or three street lights on View Street as there are not any lights on said street.

J. W. Morgan	E. R. Glenn	Chas. L. Sluder
E. W. Brackett	Aron Embler	J. N. Bradley
W. H. Robinson	I. C. Robinson	Vincant B. Bradley
W. B. Scott	A. Brooke	
C. T. Miller		

On motion, the following building permits were granted:

City of Asheville	Addition & Vaults	City Hall	Estimated cost	9,600.00
A. J. Gilliam	Garage	Southside Ave	" "	1,500.00
Y. B. Cole	7 room House	Montana Ave.	" "	1,500.00
L. P. Hayes	5 " "	Near Co Home Rd	" "	1,500.00
------Hatten	3 " "	17 Haid Street	" "	1,300.00
L. Sumner	Repairs	137 Westwood Place	" "	100.00
W. M. Anderson	"	126 Southside Ave	" "	125.00
J. S. Sims	"	31 Hazzard St	" "	50.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, April 5, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

CENTRAL LABOR UNION--WATER FOR SUBURBAN DISTRICTS

A committee from the Central Labor Union was before the Board, Mrs. W. Wolfe, Jr., acting as spokesman, explained that it was brought to the attention of the Central Labor Union at last night's meeting that city water had been refused to new consumers located in the suburban districts just outside the incorporate limits, and as said organization felt that such action would greatly curtail building, it had appointed a committee to appear before the Board and ascertain why this is necessary and how long it is expected such conditions would exist.

Mr. Wolfe also explained that his organization went on record as favoring the bringing of such suburban districts into the incorporate limits in view of the fact that the residents thereof were receiving all the benefits of the city and were not paying any city taxes whatsoever.

It was explained to Mr. Wolfe that the order stopping connections to the water system outside of the city was made in view of the fact that the supply system in the city was insufficient to furnish the residents residing in the elevated sections of the city with sufficient water, however, the contract for supplementing the present supply system had already been awarded. The work would probably be started within a few days and just as soon as it was completed the probabilities were that the order could be rescinded and those people living without the city in close proximity of the incorporated limits would be furnished with water.

The Commissioner of Public Works stated that certain officials of the Southern Railway Company had called attention to the advisability of advertising the City of Asheville and especially its water, by the erection of a handsome fountain and tablet near the Southern Railway depot.

No action taken.

Chief J. S. Shipman, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

A report showing the collections in the Department of Public Safety for the month of March was read to the Board and, on motion, ordered filed.

On motion, the following building permits were granted:

J. B. Frady	Recover Store	313 Biltmore Ave	Estimated cost	$	100.00
---Stockinger	Garage & Room	Coleman Avenue	"	"	100.00
Spray Cotton Mills	1 Room & Bath	Reed Street	"	"	1,000.00
Mrs. J. B. Anderson	Garage	291 Montford Ave	"	"	100.00
R. L. Spurlin	"	125 S. Liberty St.	"	"	50.00
J. S. Sims	Recover House	Eagle Street	"	"	50.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, April 6, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Messrs. S. L. Forbes and T. C. Coxe were before the Board and requested that parking on Government Street be limited to thirty minutes, explaining that the present method of parking on that street was seriously interfering with business and making it almost impossible to rent the stores.

This matter, on motion, referred to the Commissioner of Public Safety.

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that the Board officially recognize the Girl Reserves and the Girl Scouts of Asheville as agents under the jurisdiction, guidance and direction of the Commissioners through the Health Department.

The Commissioner of Public Works recommended that a lady inspector be employed for two or three months to assist in cleaning up the town.

This matter, on motion, taken under advisement.

On motion, the Purchasing Agent was authorized and instructed to advertise for bids for the construction of sewer lines North of Haywood Road in West Asheville, said bids returnable not later than Thursday, April 20th.

On motion, the following building permits were granted:

M. R. Gaddston	1 Room Addition	63 Clayton St.	Estimated cost		63.00
Mary Bridges	"	103 East St.	"	"	35.00
Ed. Rhinehardt	Recover & Repairs	Pearsons Drive	"	"	400.00
R. W. Roberts	Stable	135 Poplar St.	"	"	300.00
S. L. Russell	7 Room House	Swannanoa Ave.	"	"	800.00

On motion, adjourned.

Secretary-Treasurer.

Friday, April 7, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

CHOCTAW STREET--SURFACE WATER

The complaint of Mr. Pressley that surface water from Southside Avenue and Choctaw Street was damaging his property, located at the intersection of these two streets, was, on motion, referred to the Commissioner of Public Works.

W. T. ROWLAND--

The request of Mr. W. T. Rowland that the city set a price on the Library building and the Auditorium was, on motion, taken under advisement.

HENRY MORRIS--

One, Henry Morris, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

FIRE DEPARTMENT--MONTHLY REPORT

A report from the Chief of the Fire Department showing the activities in that Department for the month of March was read and, on motion, ordered filed.

MONTHLY REPORTS

Reports from the Street, Street Cleaning, Health and Incinerator Departments, the Public Health Nursing Association, City Plumber, Plumbing Inspector, Building Inspector, and the Sealer of Weights and Measures were read to the Board and, on motion, ordered filed.

BUILDING PERMITS

On motion, the following building permits were granted:

Frank Gudger	7 room House	Pisgah Avenue	Estimated cost	$	9,000.00
J. A. Redmon	Store House	347 Broadway	"	"	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, April 8, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

CATHOLIC HILL--SHUFORD PETITION

The application of Mr. Shuford for a rebate of excess water rent on certain houses located on Haid Street on Catholic Hill was, on motion, taken under advisement.

GRAIL STREET--DRAIN UNDER SIDEWALK

The complaint of Mr. Shuford that the drain under the sidewalk near the intersection of Grail Street and Valley Street was stopped, causing the surface water from the street to damage his property was, on motion, referred to the Commissioner of Public Works.

BUFFALO STREET--PETITION TO CHANGE NAME TO BURTON AVENUE

A petition requesting that the name of Buffalo Street in West Asheville be changed to Burton Avenue was, on motion, taken under advisement.

(Copy of Petition)

TO THE HONORABLE MAYOR AND BOARD OF COMMISSIONERS
OF THE CITY OF ASHEVILLE, N. C.

We, the undersigned, petition you, to change the name of a part of what is now known as Buffalo Street, West Asheville, N. C., beginning at the intersection of Haywood Road and running to the forks of the road near the colored school house, to Burton Avenue, in honor of the founder of the City of Asheville.

W. R. King	R. E. Currence	C. L. Robinson	N. B. Baker
G. D. Allen	O. C. Collins	M. R. Moss	Lewis F. Grant
M. A. Trivette	Fanie M Well	Aage Jensen	Mrs J.S.Connor
G. W. Monck			

BUILDING PERMIT

On motion, the following building permits was granted:

A. H. Mance	Sleeping Porch	112 Woodrow Avenue	Estimated cost	$300.00

On motion, adjourned.

Secretary-Treasurer.

Monday, April 10th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

An ordinance regulating the parking of vehicles in the City of Asheville, was on motion passed on its first reading.

On motion one S. L. Roberts was granted permission to extend the porch on a house being erected by him on Annandale Avenue, not exceeding three (3) feet over the building line.

W. L. Capps and H. J. Swink having filed recommendations, criminal records, Doctor's certificates, and bonds as required under the ordinance regulating the conduct of public service chauffeurs in the City of Asheville, on motion, their applications for licenses to operate public service motor vehicles in the city were approved and it was ordered that they be granted the licenses requested.

The report of O. C. Wilson, Dog Catcher of activities during the past week was presented to the Board and on motion ordered filed.

On motion, the following building permits were granted.

C. M. Swicegood	Repairs	289 So. French Broad	Estimated Cost	$	70.00
Carl Littlejohn	Repairs	35 Ridge Street	" "		50.00
Jaunita Black	Addition	128 Pine Street	" "		800.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, April 11th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. Scroop Styles representing Mr.and Mrs. Kiibler, appeared before the Board and called attention to the fact that his clients were constructing a house on Cullowhee Street not accessible to the sewer line and asked that the Board construct a sewer line connecting with the sewer on Montford Avenue in order that his clients' property might have proper sewer accommodations.

This matter taken under advisement, the Board deciding to go over the ground in person and investigate conditions.

Messrs C. M. Weal, Gilmer Welch and W. M. Jackson appeared before the Board and filed protests to the passing of the Ordinance regulating the parking of vehicles in the city of Asheville.

Mr. Weal called attention to the fact that in his opinion, the proposed ordinance would work a considerable hardship on people owning cars who were obliged to keep said cars within the vicinity of their offices in order to accommodate their patrons.Mr. Weal further stated that from his personal observation 75% of the people do not respect the traffic ordinances therefore a hardship is worked on those who do respect them and try to obey the law. He also stated that the traffic problems of the City were not worked out as they should and could be if they were given sufficient time and attention by the proper persons. He suggested that it might be a good idea to charge for parking priviliges on the public streets requiring people finding it necessary to keep their cars in the vicinity of their respective businesses to pay for the privilege.

Mr. Gilmer Welch stated that he was opposed to the proposed Ordinance for the reason that in his opinion, the continual shifting of cars due to the 30 minute period would tend to increase rather than decrease the congestion.

Mr. W. M. Jackson asked that the Ordinance be so amended as to permit the parking of not more than five (5) public service cars on South Pack Square, stating that public service cars were necessary to accommodate the citizens and visitors in the city; that the owners of such cars paid a high license for the privilege of operating them and that this was the logical place to park.

No action taken.

An ordinance regulating the parking of motor vehicles in the city of Asheville was presented to the Board and on motion, passed on its second reading.

The complaint of one Jesse King that surface water was damaging his property located on Brook Mill Road in West Asheville,was on motion,taken under advisement, the Board agreeing to go over the ground in person and investigate conditions.

The complaint of Mr. W. M. Jackson that surface water was damaging his property on Spring Street was, on motion, referred to the Commissioner of Public Works for investigation and report.

On motion, the following Building Permits were granted:

Jon Parker	Repairs	40 East Street	Estimated Cost	$	350.00
Mrs Littlejohn	Porch	35 Ridge Street	" "		50.00
J. D. Mills	Repairs	492 Depot Street	" "		125.00
Geo. R. Murphy, Adm.	Repairs	208 Patton Avenue	" "		50.00
Maud C. Reger	Addition	194 Charlotte St.	" "		1,200.00

On motion adjourned.

Secretary-Treasurer.

Wednesday, April 12th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A petition signed by property owners on Pine Grove Avenue requesting that Pine Grove Avenue be paved at once, was presented to the Board and on motion referred to the City Engineer for report as to the front footage and property owners represented thereon.

(Copy of Petition)

Asheville N. C. November 18, 1921.

TO THE HONORABLE COMMISSIONERS,
CITY OF ASHEVILLE, N. C.

Gentlemen:

We the undersigned, as property owners on Pine Grove Avenue and citizens of Asheville, hereby request that Pine Grove Avenue be paved at once.

G. H. Buckner	A. J. Gilliam
W. J. Jones	C. C. Lingerfelt
J. G. Pirson	B. Ornstein
L. G. Scruggs	W. H. Carhart
R. R. Adair	J. C. Simkins
M. P. Allison	R. G. Koontz
W. B. Williams	F. A. Johnson.

A petition requesting the construction of a sewer line from a point on Fairfield Avenue about 480 feet south of Haywood Road and running down said Avenue through the lands of E. B. Wright and the J. D. Penland Estate to the point where said line connects with the Virginia and Galax Avenue line, was presented to the Board, and on motion referred to the Commissioner of Public Works for investigation and report.

(Copy of Petition)

Asheville, N.C. April 11th 1922.

Hon. Mayor and Bourd of Commissioners,
City of Asheville,
Asheville N. C.

Gentlemen:-

We the undersigned property owners residing and owning property on Fairfield Avenue, West Asheville, petition your honorable body to construct a sewer line from a point in said Avenue about 480 feet south of Haywood Road and running down said Fairfield Avenue, and through the lands of E. B. Wright and J. D. Penland Estate to point where said line connects with Virginia and Galax Avenue line.

Respectfully submitted:

Eug. Carland	530	feet-
M. A. Alexander	154	"
W. C. Penland	60	"
J. D. Penland Estate		
S. D. Hall	60	"
R. Y. Zackary	178	"
Mrs. D.E. Pope	120	"
J. E. Ball	120	"
J. M. Caddy	120	"
C. H. Jones	60	"
A. L. Moall	60	"
J. K. Roberts	180	"
W. D. Boyd	60	"
Matt Engleman	120	"

A complaint to the effect that the Public Comfort Station on the Ladies' side was closed for one hour in the middle of the day on Sundays, was on motion, referred to the Commissioner of Public Works

On motion it was ordered that the sewer assessment amounting to $17.82 amount charged against Walter Starnes on Wayne Street, be exempted, for the reason that the said property has been already charged with sewer accommodations.

One Willis Manning appeared before the Board and requested permission to maintain a stable on his lot near the intersection of Asheland Avenue and Smith Street explaining that it was impossible to get a stable farther than thirty five (35) feet from a residence. This request taken under advisement.

An Ordinance regulating parking of motor vehicles in the City of Asheville was presented to the Board and passed on its third reading.

Said Ordinance being for the immediate preservation of the public peace and safety of the citizens of Asheville, was declared an emergency Ordinance to take effect immediately upon its passage and publication in a newspaper published in said city.

AN ORDINANCE REGULATING PARKING OF MOTOR VEHICLES IN THE CITY OF ASHEVILLE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That Chapter 70, Sections 61 to 67 inclusive of the Traffic Code of the City of Asheville, be and the same is hereby amended and supplemented as follows:

Section 2. That between the hours of 8 O'clock A. M. and 7 o'clock P. M. no vehicle, motor vehicle or public service motor vehicle shall park on the following public streets, squares or alleys within the City of Asheville, for a period exceeding thirty (30) minutes at any one time and such vehicle, motor vehicle or public service motor vehicle shall be considered as parking within the meaning of this Ordinance unless moved a distance of 100 feet or more.

(a) South side of East College Street between Broadway and Market Streets.

b) East side of Broadway from College St. to Woodfin Street.

c) South side of Pack Square

d East side of Biltmore Avenue from Pack Square to a point opposite the old Y. W. C. A. building.

e) West side of Church Street between Patton Avenue and Aston Lane.

f West side of Government Street between Patton Avenue and Walnut Street.

g East side of Haywood Street from West College Street to a point in front of the Auditorium.

h South side of Walnut Street between Haywood Street and Lexington Avenue.

PROVIDED, HOWEVER: That the provisions of this Ordinance shall not apply during church hours on the Lord's Day commonly called Sunday.

Section 3. That no vehicle, motor vehicle or public service motor vehicle shall park on Woodfin Street between Spruce Street and Vance Street.

Section 4. That all Ordinances or clauses of Ordinances in conflict herewith are hereby repealed.

Section 5. That any person, firm or corporation violating the provisions of this Ordinance shall be subject to a penalty of $25.00 for each and every such offense.

Section 6. That this Ordinance being for the immediate preservation of the public peace and safety of the citizens of Asheville, is hereby declared an emergency Ordinance to take effect immediately upon its passage and publication in a newspaper published in said city.

I move the adoption of the foregoing Ordinance this the 10th day of April, A. D 1922.

(Signed) R. L. Fitzpatrick
Commissioner.

Approved as to Form.
Geo. Pennell.
Corporation Counsel.

On motion the following Building permits were granted:

Light O Adv.Co.	Metal Screen	52-54 Patton Ave.	Estimated Cost	$100.00
ie L.Bradford	5 room house	Rear 65 Stoner Av.	" "	3500.00
L. Conder	5 room house	Ravenscroft Rd.	" "	3600.00
Y.Zachery	5 room bungalow	Vermont Avenue	" "	3600.00
nnie House	2 room dwelling	Pine Street	" "	300.00
heville Pow. & Lt.Co	Brick building	Avery Street	" "	11000.00
P. Wilson	Sleeping porch	333 Merrimon	" "	300.00
rs. F.B.Ingle	9 room house	Haywood Road	" "	7500.00
arrie Sumner	Garage	Swannanoa Ave	" "	125.00

On motion, adjourned.

Secretary-Treasurer.

Thursday April 13th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. Frederick Rutledge of the firm of Frederick Rutledge and Company, General insurance agents, appeared before the Board and requested that his firm be remembered in the distribution of insurance on Catholic Hill school.

Mr. Rutledge was assured by the Mayor that he would receive his proportional part of the insurance on the new building.

A complaint that the heavy hauling on Catholic Hill to the new school building had broken in drains on Haid and Gibbons Street, was on motion referred to the Commissioner of Public Works for investigation and report.

On motion the following building permits were granted:

. B. Jones	4 room house	rear 683 Haywood Rd.	Estimated Cost	500.00
iss Mary Sweet	Garage	Wells Avenue	" "	100.00
lliott Henson	Addition	47 North Street	" "	75.00
. C. Miller	Store room	View St & Ratcliff	" "	1000.00
rs.M.Radcliffe	8 room addition	46 Charlotte St	" "	3500.00

On motion, adjourned.

Secretary-Treasurer.

Friday, April 14th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A committee of citizens composed of Messrs C. G. Lee, R.R.Williams, E. C. Greene S. G. Barnett, R. H. McDuffie, Dr. E B. Glenn, Rev.R. J. Bateman, Don. Elias, Mrs.Curtis Bynum and others, appeared before the Board and Mr. C. G. Lee acting as spokesman presented petitions signed by 2139 citizens and tax payers petitioning the Board of Commissioners to pass an Ordinance (said Ordinance being also presented)ordering a new registration and calling an election for the purpose of submitting to the qualified voters of the City of Asheville the proposition of issuing one million dollars bonds, the proceeds of said bonds to be used for the acquisition and improvement of lands for park purposes, the erection of a community building and convention hall and the construction of an approach to that portion of the city lying west of the French Broad River ; all of said funds to be expended in accordance with the recommendations of the City Planning Commission and the City Planner.

The proposition of ordering a new registration was opposed by Messrs Kingsland Winkle and S. G. Bernard, same being advocated by all of the committee above mentioned Messrs C. G. Lee, R. R. Williams, Rev. Dr. Bateman and others speaking at some length.

After a thorough discussion of the matter, the Mayor stated that there was no question as to the power of the Board to call a new registration and as same had been requested by 2139 citizens and tax payers, he saw nothing else for the Board to do but to comply with the request. He further stated that personally he was in favor of the proposition and would vote for it. Capt. R. L. Fitzpatrick, Commissioner of Public Safety stated that he also favored the bond issue and expected to support it.

Upon motion of Commissioner Fitzpatrick seconded by Mayor Roberts the Ord presented with the petitions was adopted and passed on its first reading.

(Copy of petition)

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Section 1. That there be and hereby is created a City Planning and Improvement Commission of the City of Asheville to be composed of the Mayor-Commissioner of Public Accounts and Finances, the Commissioner of Public Works, the Commissioner of Public Safety and their successors in office, together with the following named citizens, towit:

George Stephens
Curtis Bynum
D. Hiden Ramsey
A. G. Barnett
Harry Parker

Section 2. That said City Planning and Improvement Commission shall meet on the first Monday after the election hereinafter provided for and organize according to the provisions of the City Planning Act ratified by the General Assembly of North Carolina on the 19th day of December, 1921.

Section 3. That said Planning and Improvement Commission shall have and are hereby delegated with full power and authority in the expenditure of the proceeds of the bonds named in the preamble hereof, for the purposes specified in said preamble, and each individual member of said Planning and Improvement Commission, as above constituted, shall have an equal voice and vote on any proposition involving the expenditure of any of said funds, and a majority of votes cast for or against any such proposition shall in all cases govern.

Section 4. That for the purpose of improving and acquiring and improving lands for parks, playgrounds, recreation Centers and athletic fields, the erection of a building to be known as a community building and convention hall and for the construction of an approach to that section of the City of Asheville lying west of the French Broad River, the City of Asheville issue its negotiable bonds.

Section 5. That the aggregate amount of said bonds shall be One Million Dollars.

Section 6. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 7. That this ordinance shall take effect when approved by the qualified voters of the City of Asheville at an election to be held in said City and a new registration is hereby ordered for said election, said new registration and election to be called and held in accordance with the provisions of the General Election laws applying to the City of Asheville, the City Charter and the Municipal Finance Act.

I move the adoption of the foregoing ordinance, this the 14th day of April, A. D., 1922.

"R. L. Fitzpatrick"
Commissioner.

Approved as to form:

"Geo Pennell"
Corporation Counsel.

Attorney Zeb Neetles, representing interested parties, requested permission to erect a fire-proof canvas structure below the Express office on Patton Avenue to be used as a shooting gallery.

Mr. Neetles was informed that the law governing the erection of buildings within the fire district was a state law and that the Board had no discretionary power in the matter. It was suggested to him that he take the matter up with the Building Inspector.

The Commissioner of Public Safety called attention to the fact that the painting of white lines for safety zones was costing in the neighborhood of $480. or $500 per year and recommendated that white brick be installed to designated these zones and thereby eliminate this expense.

On motion, the Purchasing Agent was authorized and instructed to secure prices on the brick recommended by the Commissioner of Public Safety and submit same to the Board for its information.

Alonzo Shipman and Charles B. Dermid, having filed recommendations, criminal records, doctors' certificates and bonds as required under the ordinance regulating the conduct of public service chauffeurs in the City of Asheville, on motion their applications to conduct public service motor vehicles in the city were approved and it was ordered that they be granted the licenses requested.

On motion, the following building permits were granted:

Mr. Gilkey	room House	Murdock Avenue	Estimated cost	$3,000.00
W. A. Harvin	" "	Vermont Avenue	" "	3,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, April 18th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. All members present and participating.

On motion of Mayor Gallatin Roberts, duly seconded and unanimously adopted, the Board adjourned out of respect to the late Mrs. J. E. Rankin, wife of former Mayor J. E. Rankin.

On motion, adjourned.

Secretary-Treasurer.

Wednesday, April 19th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. All members present and participating. The minutes of the previous meeting were read and approved.

Commissioner Fitzpatrick called attention to the necessity of paving Hazzard and Eagle Streets to the top of the hill as an aid to fire prevention in the city.

This matter, on motion was referred to the Commissioner of Public Works for report as to the estimated cost of paving the two above mentioned streets.

The Commissioner of Public Safety also called attention to the fact that the men driving the Sanitary Sprinkler were damaging the fire hydrants in the city. This matter on motion referred to the Commissioner of Public Works.

On recommendation of the Commissioner of Public Safety it was ordered on motion, that Patrolman J. R. Jordan be promoted to Police Sergeant to fill a vacancy now existing in that Department.

On recommendation of Commissioner of Public Works, it was ordered that Mr. R. E. Patillo be employed as Sanitary Inspector in West Asheville to fill the vacancy caused by the resignation of Mr. C. M. Lumpkin, who resigned to accept a position in the Fire Department.

On motion, duly seconded and unanimously adopted, it was ordered that a [illegible] be made to the colored hospital.

A resolution resolving that out of respect to the late Mrs. J. E. Rankin that the flag on Pack Square be flown at half mast during the funeral hour and the fire bell be tolled for a period of three minutes, was presented to the Board, on motion duly seconded was unanimously adopted.

"WHEREAS, on April sixteenth one thousand nine hundred and twenty two at the hour of ten thirty o'clock P.M. Mrs. J. E. Rankin died at her home on Merrimon Avenue in this city ; and

WHEREAS, the Board of Commissioners desires to record its esteem and appreciation of this distinguished citizen of Asheville; therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE IN REGULAR SESSION ASSEMBLED:

That, out of respect to the late Mrs. J. E.Rankin the flag on Pack Square be flown at half mast during the funeral hour and the fire bell be tolled for a period of three minutes.

I move the adoption of the foregoing resolution this the 19th day of April, A. D. 1922

R. L. Fitzpatrick
Commissioner of Public Safety.

The City Engineer's report showing that from his investigation, the petition requesting the paving of Pine Grove Avenue between Delaware Avenue and Livingston Street was insufficient as to frontage represented thereon, was presented to the Board and on motion referred back to the petitioners.

petition requesting the grading of Fifth Avenue to its intersection with Michigan Avenue was presented to the Board and on motion referred to the City Engineer with instructions to lay out a street and establish the grades thereon and furnish an estimate of the cost of the work requested.

To F. L. Conder, "April 14th, 1922.
Secretary-Treasurer
City of Asheville.

Dear Sir:-

Regarding the petition signed by property owners on Pine Grove Avenue requesting that said street be paved from Delaware Avenue to Livingston Street, I find that the said petition is signed by a majority in number of the owners, who represent a majority of all the lineal feet of frontage of the lands (owners of individual interests in one piece of property have been treated as one person) abutting upon the street or part of street proposed to be improved.

The following table shows the frontage of property on the street proposed to be improved, the number of property owners and the total frontage with the frontage petitioned for:

Lot No.	Property Owner	Frontage feet and inches	Petitioned for Feet and inches
15	E. G. Keesler	75	75
16	J. C. Simpkins	75	75
17	E. B. Lingle	15	
17½	John L. Sims	60	
18	B. A. Patton	75	
19	B. Ormstein	75	75
20	P. W. Ward	72.5	
25	C. L. Robinson	75	
26	" " "	25	
26½	A. J. Gilliam	50	50
27	J. F. Beck	75	75
28	F. A. Johnson	75	
29	J. H. Bosse	128	
232	T. G. Cathey	72.5	
233	M. V. Moore	75	
234	" " "	70	
235	R. U. Garrett	50	
235½	T. A. Johnston	25	
236	" " "	25	50
236½	W. B. Williams	50	50
237	" " "	50	25
237½	" " "	25	25
238	" " "	25	
238½	Mrs. Lewis Carr	50	75
239	W. H. Carhartt	75	
240	R. J. Echerd	50.3	
241	J. H. Bosse	80	75
242	C. C. Lingerfelt	75	

	Property Owners	Frontage Feet & Inches	Petitioned for Feet and inches
	G. H. Buckner	75	75
	W J. Jones	75	75
	L. G. Suggs	75	75
	J. G. Dierson	75	75
	Mrs.M.B.Allison	75	75
		2067.3	1025.5

Total Frontage	2067.3
Frontage Petitioned	1025.
Total property owners	26
Property owners signing petition	13

(Signed)B. M. Lee, City Engineer.

The City Engineer's report showing that from his investigation the petition requesting the paving of South Grove Street and Dewitt Street was sufficient both as to property owners and front footage, was presented to the Board and on motion ordered filed.

" April 14th, 1922.

F. L. Conder,
Secretary-Treasurer
City of Asheville.

Dear Sir:-

Regarding the petition signed by property owners on South Grove and Dewitt Street so called, requesting that said street be paved from French Broad Avenue to Dewitt Street I find that the said petition is signed by a majority in number of the owners who represent a majority of all the lineal feet of frontage of the lands (owners of individual interests in one piece of property have been treated as one person) abutting upon the street or part of street proposed to be improved.

The following table shows the frontage of property on the street proposed to be improved, the number of property owners and the total frontage with the frontage petitioned for:

Lot Number.	Property Owner	Frontage Feet & inches	Petitioned for feet & inches
	J. H. Harper	75	
	J. L. Cobb	75	
305	A. D. Stiervalt	75	75
306	H. C. Britt	75	75
	" " "	75	75
	Geo. Evans	75	
	C. L. Epley	56.7	
	Mrs. Florence McCall	100.	
	C. G. Luther	48	48
	C. H. Rogers	56	56
	Max Rosen	56	56
	Mrs. F. M. Allen	56	56
	W B. Marlow	56.7	
	B. G. Sanders	252.5	252.5
	W. A Steele	56.3	56.3
	Carrie L. Hendricks	67	67
	W. S. Drayton	44.25	44.25
	R. R. Cline	200	
	J. H Sullivan	200	200.
		1708.45	1701.05

Total frontage	1718.45
Frontage petitioned for	1071.05
Total property owners	18.
Property owners signing petition	11

(Signed) B. M. Lee, City Engineer.

On motion it was ordered that a voucher be drawn in favor of C.C.Willis for $200.00 covering the forfeiture of a bond in the case of the City of Asheville versus Walter Black charged with driving a public service automobile while intoxicated. This action was taken in view of the fact that the Board has been presented with satisfactory evidence that although said Walter Black was convicted in the Police Court of the charge against him, he was found not guilty by a Jury in the Superior Court and discharged.

On motion the following building permits were granted.

[illegible] Foster	sleeping porch	287 Hillside Street	Estimated cost	[illegible]
J. W. Falconer	5 room house	10 Oak Park Road	" "	30
Mitchell Roberts	4 room house	Lanvale Avenue	" "	400
[illegible] Beasley	8 room house	Flint Street	" "	200
H. A. Rubin	5 room house	Henrietta Street	" "	450
B. A. Rowe	1 room addition	25 Hollywood Street	" "	250
[illegible] Poole	6 room house	215 Pearson Drive	" "	100
[illegible]	Garage	83 Chestnut Street	" "	750
Mrs. W. P. Drew	[illegible] room house	19 S. French Broad Ave	" "	20
W. H. Wyatt	Sleeping porch & repairs	55 Buxton Street	" "	600
H. Whitehead	Re-cover porch	82 Church Street	" "	35
				50

On motion adjourned.

Secretary-Treasurer.

Thursday, April 20th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

This being the day according to the City's advertisement that bids were to be submitted for the construction of certain sewer lines on the North side of Haywood Road in West Asheville, the clerk was on motion instructed to open and read all bids received, whereupon the bids of the following concerns were opened and read to the Board:

Kelly and Wilson
Howerton and Tiersway
E. T. Belote
Sugg and Britt
Sluder Brothers.

On motion, all bids were ordered referred to the City Engineer for tabulation.

On motion the following building permits were granted:

Richard Pears	1 room addition	W. College Street	Estimated Cost	350.00
M. B. Meadows	1 room addition	146 Westwood Place	" "	50.00
W. M. Hill	8 room house	Logan Park	" "	1500.00
W. A. Bryson	8 room house	36 Furman Avenue	" "	2500.00
D. W. Batchelire	7 room house	Wells Avenue	" "	4000.00
J. V. Shuman	1 room addition & repairs	68 Craven Street	" "	700.00

On motion, adjourned.

Secretary Treasurer.

Friday, April 21st, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. Minutes of the previous meeting were read and approved.

The application of one George Manos for license to peddle home made candy in the city was on motion, taken under advisement, Manos, in the meantime being instructed to secure the approval of the health department as to his method.

On recommendation of the Commissioner of Public Works it was ordered on motion that the city furnish approximately 150 feet of 15 inch terra cotta pipe for the construction of a storm sewer from Avery Street through the property of Pickens and Bradley Company to the river, provided the said Pickens and Bradley Company would install the said pipe and do the other necessary work.

The Commissioner of Public Safety reported that complaint had been made that a combined Shoe Shine, Hat Cleaning and Lunch stand was being conducted on Park Square. The matter on motion referred to the Commissioner of Public Works for handling with the Health Department.

On motion it was ordered that one J. W. Eidson be appointed Deputy Tax Collector to fill a vacancy existing in the Tax Department caused by resignation of J. W. Mashburn.

One Homer Baird, having filed recommendations, Doctor's certificate of record and bond, as required under the Ordinance regulating Public Service Chauffeurs, application for license as Public Service Chauffeur was on motion approved and it was ordered that he be granted the license requested.

It appearing to the Board that the bid submitted by Sugg and Britt for construction of certain sewer lines North of Haywood Road in West Asheville, was the best and lowest bid received, on the recommendation of the Commissioner of Public Works, it was ordered that this concern be awarded the contract for the installation of said sewers on it's bid of $47,792.50 for the work, using G. K. Joints.

Order No.	Kelly & Wilson		All or none Howerton & Tiersway		E. T. Belote.	
	Cement Jts.	G.K.Joints	Cement Joints-	G.K.Joints	Cement Joints-	G.K.Joints
1	16,127.62	17,658.16	26,652.00	27,994.20	20,893.60	21,993.70
2	1,943.82	2,068.78	3,204.90	3,332.70	2,785.85	2,845.85
3	3,607.68	3,160.22	2,818.00	2,974.00	3,286.50	3,426.75
4	2,017.52	2,159.50	3,163.00	3,305.20	2,909.40	3,029.60
5	4,208.88	4,594.81	8,389.15	8,781.35	5,649.40	5,800.00
6	2,990.08	3,191.40	4,063.00	4,268.80	4,100.00	4,275.50
7	2,733.50	2,922.14	3,201.10	3,392.70	3,903.70	4,059.00
8	2,339.81	2,541.57	3,291.50	3,495.50	3,414.00	3,630.00
9	4,096.82	4,440.42	5,728.00	6,077.80	5,823.00	6,000.00
10	1,480.56	1,615.36	1,483.40	1,619.80	2,367.00	2,495.00
11	1,933.34	2,094.49	2,461.20	2,624.80	3,118.00	3,216.00
12	1,401.13	1,473.29	2,870.00	2,343.80	3,171.70	3,222.10
	44,280.76	47,920.14	66,725.25	70,210.65	61,421.45	63,999.80

Alternate bid complete except plank addition. Cement Jts extra.

Order No.	Sugg and Britt		All or none. Sluder Brothers	
	Cement Joints-	G. K. Joints	Cement Joints	G.K. Joints
1	15,380.00	17,871.00	21,179.07	21,879.07
2	2,980.00	3,114.00	3,145.55	3,302.83
3	1,964.00	2,224.00	5,359.95	5,627.95
4	1,978.00	2,220.00	3,140.96	3,298.01
5	3,790.00	4,486.00	4,636.77	4,868.61
6	3,034.00	3,383.00	2,942.62	3,089.75
7	2,031.00	2,364.00	2,471.78	2,595.37
8	2,456.00	2,623.00	2,519.58	2,645.56
9	3,856.00	4,482.00	5,499.59	5,774.57
10	1,477.00	1,720.00	1,608.68	1,689.11
11	1,800.00	2,085.50	2,178.04	2,286.74
12	1,097.00	1,220.00	1,263.11	1,326.27
			55,945.70	58,383.84

Reports from the Sealer of Weights and Measures, City Plumber, Building Inspector Plumbing Inspector and Dog Catchery showing activities for the past week, were read on motion ordered filed.

On motion the following building permits were granted:

W. [illegible] Steelman	Garage	58 Herron Avenue	Estimated Cost	$100.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, April 22nd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presi[illegible] The minutes of the previous meeting were read and approved.

The map or plat submitted by the City Engineer was adopted as the zone of benefits and damages on account of the proposed widening or Valley Street from Biltmore Avenue to College Street

On motion, Mr. T. L. Dockery was appointed special agent for the city to confer with interested property owners with reference to securing a right of way for the above mentioned improvement.

On motion, the following building permits were granted:

C. M. Whitfield	Recover house	7	Aston Place	Estimated Cost	$ 200.00
U. T. Hall	" "	228	Southside Ave	" "	150.00
J. R. Taylor	Sleeping porch	17	Herron Ave	" "	350.00

On motion, adjourned.

Secretary-Treasurer.

Monday, April 24th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts pres[illegible] The minutes of the previous meeting were read and approved.

Mr. W. M. Jackson was before the Board and made application to stand Public Service automobile in the alley in the rear of the Library Building. In connection [illegible] his request Mr. Jackson filed communication signed by a number of business men in the vici[illegible] of the alley stating that they had no objection to one car standing in the alley so long a[illegible] free passage through same is not interfered with.

Mr. [illegible] who conducts a business in the building fronting on said al[illegible] objected to the parking of public service cars in the alley claiming that it will force hi[illegible] out of business. This matter on motion taken under advisement.

"Asheville, N. C.4/22/22

We, the undersigned citizens of Asheville have no objections to one [illegible] service car standing in what is known as Library alley, so long as they do not interfere with free passage through, either by foot, wagon or automobile.

Emporium Department Store
By J. L. Blomberg
R. L. Chance
R. C. Davis
F. M. Messler
D. L. Watson

A. A. Snider
Geo. Stewart
A. Stroud
J. F. Creasman
W. G. Fortune

Earl Rombo
U. Totem Co.
By E.L.Moore
G. B. Gasperson
T. F. Hunter, J.P.

H. H. Moore
V. C. Crane
C. F. Swinney
Gilmer Welch
C. C. Willis

The application of one Edward Burke to exhibit objects through a telescope [illegible] Pack Square, was on motion, refused. However the matter of selecting a location for Mr. Burke was referred to the Commissioner of Public Safety.

[illegible] Rector, having filed recommendation, criminal record, doctor's certificate and bond as required under the Ordinance regulating the conduct of public service chauffeurs in the city, on motion his application to conduct a public service motor vehicle in the city was approved and it was ordered that he be granted the license requested.

The report of T. L. Dockery special agent for the city that he has been unable to reach an agreement with interested property owners with reference to securing a right of way for the proposed widening of Valley street from Biltmore Avenue to College Street, was read to the Board and on motion ordered filed.

On motion the following building permits were granted:

[illegible] Reynolds	Sleeping porch	135 South Liberty St.	Estimated Cost	$ 450.00
[illegible] P. Dunlop	Addition	Lock Craig House	" "	3000.00
[illegible] Patton	addition	Joyner Avenue	" "	25.00
[illegible] E. Currence	Repairs	Hanover Street-	" "	250.00
[illegible] Banks	Repairs	Short McDowell St	" "	100.00
[illegible] S. Foster	Repairs	Bartlett Street	" "	250.00
[illegible] I. Blomberg	Repairs	Eagle Street	" "	250.00
[illegible] Gudger	Repairs	Victoria Place	" "	250.00
[illegible] E. Wood	Sleeping Porch	62 Flint St	" "	600.00
[illegible] Kimberly	Garage	264 Merrimon Ave	" "	1500.00

On motion adjourned.

Secretary- Treasurer.

Tuesday, April 25th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, the application of one W. M. Jackson for permission to stand a public service automobile in the alley in the rear of the Library Build[illegible] was respectfully refused.

On motion, the Purchasing Agent was authorized and instructed to advertise for bids, returnable Friday, May 5th for the re-surfacing and top coating with asphalt, of Valley Street, between College Street and Biltmore Avenue; the work to be done in accordance with specifications to be furnished by the City Engineer.

On motion, the following building permits were granted.

[illegible] M. Bailey & Tonie Ball	6 room house	Jefferson Drive.	Estimated Cost	$1,[illegible]
[illegible] C. Clark	Repairs	5 Howell Street	" "	100.00
[illegible]rolina Home Builders	7 room house	Biltmore Avenue.	" "	6,000.00
[illegible] D. Edwards	8 room house	52 Orchard St	" "	5,000.00
[illegible] F. Griffin	4 rooms	158 Coleman Avenue	" "	1,400.00
[illegible] Von Ruck	Addition	Reed Street.	" "	2,000.00
[illegible] E. E. Young	Garage	166 South French Broad		

On motion, adjourned

Secretary-Treasurer.

Wednesday, April 26th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts pre
The minutes of the previous meeting were read and approved.

Attorney Zeb Curtis, representing S. G. Chambers appeared before the Board and filed claim in the amount of $40.00 for water line which he alleges his client purchased from a Mrs. Wilson on Jonestee Street some time ago and which the City took over This matter on motion, referred to the Commissioner of Public Works.

Mr. Frank Loughran appeared before the Board and called attention to the fact that some thirty years ago he had deeded a strip of land on Biltmore Avenue and Valley Street to the City with the understanding that the said land was to be utilized imm diately for street and sidewalk purposes. He stated that this matter had been taken u several times and that he had been definitely promised that the improvement would be made at the time Biltmore Avenue was repaved.

This matter on motion, referred to the Commissioner of Public Works with request that he have the City Engineer make a survey of the proposed improvement and furnish the Board with an estimate of the cost of said improvement.

A petition requesting that an Ordinance be passed restricting the speed limit of motor vehicles to 10 miles per hour on Cumberland Circle and on that portion of Cumberland Avenue which forms a part of the Circle, was presented to the Board by Mr. J. P. Goodman, and on motion, referred to the Commissioner of Public Safety for investigation and report.

"TO THE HONORABLE MAYOR AND COMMISSIONERS OF THE CITY OF ASHEVILLE:

GENTLEMEN:

We the undersigned citizens residing on Cumberland Circle and Cumberland Avenue, respectfully petition you to pass an Ordinance in the City of Asheville applicable to Cumberland Circle and that portion of Cumberland Avenue which forms a part of the Circle, restricting the speed limit of motor vehicles to ten miles per hour on this Circle As you are well aware the streets covered in this petition constitute dangerous curves the entire distance. There are twenty five children under the age of twelve years residing on these streets and there are various walks and driveways leading into the streets from residences many of which are obscured by hedges and other shrubbery in such a way that children entering into the street in their play or for other purposes, have their lives endangered by rapidly moving vehicles. This section of town is a good ways from the Police Station and many motor vehicle drivers take advantage of this liberty to speed machines around these curves at from twenty five to thirty five miles per hour. These facts are annoying, nerve racking and distressing to the parents of children whose lives are endangered. This being a restricted residential section there is no necessity for motorists to speed, and we respectfully petition that you pass this Ordinance at your earliest convenience and place two signs on the streets in question, one at or near the entrance to Cumberland Circle where it leads out from Cumberland Avenue and another somewhere at a point near the North end of the Circle these signs to read "Dangerous Curves" Speed limit 10 miles per hour, or such other wording as in your discretion seems proper.

We think the safety of the twenty five children residents of this Cir and the peace of mind of their parents and others, is sufficient grounds on which to base this request.

J. P. Goodman, J. A. Campbell, R. G. Brokaw, Moody Price, Mrs. P. C. Young, Mrs. Elizabeth [illegible], Asheville N. C. April 26th, 1922."

Mrs. Walter P. Taylor, Mrs. [illegible], Mrs. C. M. Pritchard, J. B. Hansen, Mrs. J. R. Goodman, C. H. Honess, Mrs. Nell Bonnell, Mrs. Mary E. Price, W Green, G. L. Jones, Mrs. Jere B. Cooke, Geo. M. Pritchard, Mrs. Wythe M. Peyton, Mrs. R. E. Yarbirough, Marie E. Sullivan

One Roy Glover having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance regulating public service automobiles and all papers being approved, application for a Chauffeur's License to operate a public service automobile in the city was, on motion approved, and it was ordered that he be granted the license requested.

The City Engineer's report showing total and pro rata cost to property owners on account of the construction of an 8 and 10 inch sewer line in Horney Heights was presented to the Board and on motion, ordered advertised according to law.

8in. and 10 in. pipe sewer
Horney Heights Sewer

Built Dec. 10 1921
Reported April 25th, 1922.

Built by Contractor.

Contractor- Kelley and Wilson
Contract Awarded Oct. 19, 1921
Size pipe- 8 in & 10 in. Length 2885 feet

Contract Price	$3,320.00
Inspection	85.00
Engineering	75.00
Estimated cost of 6 in. sewer	3,480.00
	2,613.00
	$ 867.00

ASSESSED PROPERTY OWNERS

Name	Feet.	Price	Total Amount.
Horney Bros.	180	.67	120.60
E. G. Carrier	430	.67	288.10
E. T. Belote	250	.67	167.50
H. A. Brown	390	.67	261.30
Bob Williams	310	.67	207.70
A. H. Carrier	290	.67	194.30
Ralph Carrier	160	.67	120.60
John Pate	220	.67	147.40
H. M. Weir	1000	.67	670.00
H. M. Weir	650	.67	435.00
			2613.00

B. M. Lee, City Engineer.

On motion the following building permits were granted:

4 room house	Louisiana Avenue	Estimated Cost	500.00
Brick Building	College & Valley St	" "	10000.00
2 bungalows	Murdock & Coleman Aves.	" "	10000.00
Addition	148 Livingston Street	" "	40.00
Repairs	110 Annandale Avenue	" "	90.00
9 room house	French Broad Avenue	" "	4500.00
Apartment St	Short Street	" "	5000.00
8 room house	Cor. Edwin & Evelyn Place	" "	10000.00
1 room	16 Dundee Street	" "	150.00
8 room house	Ridge Road-Grove Park	" "	10000.00
Remodeling house	115 Montford Avenue	" "	3000.00

On the recommendation of the Commissioner of Public Works it was ordered on that the contract for the construction of the new Incinerator , be awarded to the Morless Crematory Company on their bid of $39,500.00

Secretary-Treasurer.

Thursday, April 27th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. minutes of the previous meeting were read and approved.

Mr. Thomas J. Rickman, Attorney, representing interested property owners Dewitt and South Grove Streets appeared before the Board and stated that all the property on Dewitt Street with the exception of J. H. Sullivan and Mr. Kline had agreed to give (5) feet on each side for sidewalk space, and these two gentlemen would each give five provided they would not be assessed with the cost of the sidewalk construction.

He asked that the Board take action on the petition of paving the above oned streets as early as possible. This matter on motion referred to the Commissioner ublic Works,

committee of property owners on Hanover Street also appeared before oard and asked that if this street could not be paved in the near future that it be ired; stating that in wet weather this street was almost impassable.

This matter on motion, also referred to the Commissioner of Public Works.

A petition requesting the Board to extend the water pipe from the terminus present line across the hill to Pine Street , Lambe Avenue and Joyner Street was read e Board and on motion ordered filed.

ion to the Commissioners of the City of Asheville.

"We the undersigned ask your Honorable body to lay water pipe from Jenkins the present line stops, across the hill to Pine St. Lambe Avenue and Joyner Street, as there ove 15 or 20 families wanting water and the sanitation of the wells by so many carrying water sing from same, there is so many wanting to build since they have bought the boundray since ubdivision, water is the first thing wanted, we will appreciate and donate to this line.

Patton	R. S. Lamb	M. J. Rockey	M. B. Ogilvy	Roy Morriss
W. Burlison	L. G. Burlison	Jas A. Hague	W. L. House	Mrs. H.Crawford
House	Rosa Johnson	J.R. Beck	H. H. Moore	D. S. Roberts
. D. Hinkle	J. E. Joyner	R. J. Lamb	J. H. Bishop	W. J. Greer
Owens	W. G. Hollifield	M. B.Hollifield	L.Hollifield	Sam Moss
Duckett	R.P.Duckett	P.S.Hipp	J. E. Fisher	S.S.Brigman

A request for a light on Montford Avenue near the Montford School, w
on motion, referred to the Commissioner of Public Works.

The Commissioner of Public Safety reported that the resignation of Mr. E. B. Wright, Plumbing Inspector effective May 1st had been filed and recommended to fill the vacancy caused by the resignation of Mr. Wright, Mr. E. L. Singer. On motion, the r motion of Mr. Wright was accepted with regrets, and the appointment of a plumbing inspecto taken under advisement until the regular meeting of the Board tomorrow.

"Asheville, N.C.

To the Mayor and Board of City Commissioners of Asheville

We, the undersigned Master Plumbers and Journeymen of the City of Asheville, do endorse Mr E. L. Singer for the position of Plumbing Inspector of the City of Asheville to fill the p sition made vacant by the resignation of Mr. E. B. Wright.

Campbell & Vance	H. C. McDowell	J. R. Rich Company
R. A. Sugg	J. C. McPherson	L. C. Sluder
L. A. Creasman	S. M. Stevens	J. W. Moore
D. S. Murdock	L. D. Campbell	Blue Ridge Plumbing & Heating Company
Asheville Pl. & Heating Co.	Sugg and Britt	
H. W. Kimbler. "		

On motion it was ordered that the bill of Hilliard Shaw, 12 Weaver St. in the Water Department be exempted. This being water rent due up to January 18th 1922. This action taken on explanation of the Water Superintendent that the house was now vacant meter removed and there was no possible chance of collecting the rent.

On motion the following building permits were granted:

W. M. Anderson	Repairs	416 Smith St and 222 Southside	Estimated Cost	$ 600.00
Z. V. Creasman	7 room house	Forest Hill	" "	
Mrs. W.J.Justice	Repairs	Choctaw St	" "	5000.00
J. L. Marton	Garage	577 Haywood Road	" "	200.00
Standard Oil Co.	Filling Station	Biltmore Avenue	" "	600.00
McCrary & Son	Garage	Bet.Market & Sycamore St	" "	6000.00
				10000.00

On motion, adjourned.

Secretary-Treasurer.

Friday, April 28th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presi ing. The minutes of the previous meeting were read and approved.

The request of Mr. E. O. Chambers for a refund of $7.50 representing amount paid by Mr. [illegible] connect to the sewer line put in by Mr. Rawls outside of the city and later taken over by the city, on the grounds that none of the other parties using this sewe had to pay for the privilege, was on motion taken under advisement.

The complaint of one Jim Forney that he owned a lot adjoining the city pr perty at the corner of Mountain and Clement Streets and had no means of ingress and egre to said lot, was on motion referred to the Commissioner of Public Works.

On the recommendation of the Commissioner of Public Safety it was ord on motion, that Mr. E. L. Singer be appointed Plumbing Inspector to fill the vacancy caused by the resignation of Mr. E. B. Wright.

The weekly reports from Health Department, Sealer of Weights & Measure and the Building Inspector, were read and on motion ordered filed.

On motion the following building permits were granted:

A. E. Brown	Garage	Glendale Avenue	Estimated Cost	$ 300.00
W. E. Malory	Bath Room	72 Merrimon Ave	" "	500.00
Dr. Reynolds	Remodel Building	Church Street	" "	5000.00
Dr.J.A.Walker	7 room house	112 Pisgah Avenue	" "	5400.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, April 29th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion the following building permits were granted:

J. H. Dayton	Garage	511 Haywood Street	Estimated Cost	80.00
Mrs. A. M. Edwards	Repairs	18 Louisiana Avenue	" "	2000.00
Miss A. C. Payne	Repairs	4 Maple Street	" "	2500.00
L. B. Rogers	Garage	85 Liberty Street	" "	300.00
Mollie Rodgers	Porch	134 Pine Street.	" "	30.00

On motion, adjourned.

Secretary-Treasurer.

Monday, May 1st, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. W. T. McClamory appeared before the Board and filed a petition signed by a number of property owners in West Asheville asking that the street running from Louisiana Avenue westwardly to Herron Avenue be permanently opened, explaining that said street had been opened for many years until recently and someone closed it up near Louisiana Avenue.

This matter on motion referred to the Corporation Counsel with request that he look up the records and determine whether or not the Street in question is shown on the map of the sub division of the property and furnish the Board with legal advice as to it's powers in the premises.

"Asheville N. C. 24 March 1922.

TO THE MAYOR AND COMMISSIONERS OF THE CITY OF ASHEVILLE:

We the undersigned citizens of West Asheville respectfully request and petition your Honorable Body to open up, lay out and establish permanently a street from Louisiana Avenue, westwardly to Herron Avenue, beginning at or near Mrs. Evans on the west side of Louisiana Avenue. This road or street has been opened for many years for the use of the public and was so opened until some person closed it up near Louisiana Avenue. We respectfully state that the public have used this road or street for many years and are entitled to its use, and we ask your body to open and establish this road or street at once.

Mrs. Dorcas R. Evans	Frank Townsend	C. C. Hipps	Mrs. H.L.Herron
J. H. Arthur	J. E. Clark	J. M. Ingram	H. L. Timmons
L. O. Case	R. W. Bryant	W. Cole	E. H. Henderson
Wiley L. Cole	Jas. R. Taylor	C. G. Green	H. D. Gordon
Ralph Young	M. V. McClamery	N. L. Lance	W.A.McClamory
Chas. E. Lawing	H. L. Ferguson	J.M.Laughte	A. C. McRae
W. J Steelman	W. F. Ingel	C. V.Brown "	

A request for a street light on Brownwood Avenue in West Asheville was on motion referred to the Commissioner of Public Works for investigation and report.

Attorney Geo. A. Shuford representing his mother Mrs. Geo. A. Shuford appeared before the Board and complained that a party by the name of Sparrow was erecting a house on the lot adjoining his mother's property on Madison Avenue, said house being partially on his mother's property, for use as a rooming house and public dance hall. He stated that upon investigation he could find no record of a building permit for the house.

This matter on motion, referred to the Building Inspector for full investigation and report to the Board.

An order from the Judge of the Police Court to the City Treasurer to pay over the sum of $148.92 to the Tate Morrow Motor Company Inc. said amount in full of lien held by Tate Morrow Motor Company against an automobile siezed from A. G. Herbin by the Police Department and sold by the City of Asheville, was on motion referred to the Corporation Counsel for report.

"North Carolina,
County of Buncombe.

State vs.
A. G. Herbin
Petition of Tate-Morrow Motor Company, Inc. } AGREED STATE OF FACTS.

WHEREAS, the Tate Morrow Motor Company, Inc. claims a lien on a certain Buick automobile, which said automobile was confiscated, advertised and sold according to law in the above entitled case.

McKinley Pritchard, Attorney for the Tate Morrow Motor Co. Inc. and O. K. Bennett, Solicitor for the Police Court, of the City of Asheville, North Carolina do agree that the Court may find the following facts in said matter:

That A. G. Herbin was convicted of violating the prohibition laws of the State of North Carolina; that the aforesaid Buick automobile was used by him in the violation of the Prohibition Laws of the State of North Carolina, some time in the month of January, 1922; that from the time said automobile was seized by the Police officers of the City of Asheville, until some time after the automobile was sold according to law, neither the Judge of the Police Court, the City Solicitor or any of the Police Officers had any knowledge of any lien or mortgage of the said Tate Morrow Motor Company, Inc. on said automobile.

That the Tate Morrow Motor Company holds now, and did hold at the time said automobile was seized and sold, a mortgage or lien on said automobile for the sum of $148.92; that the Tate Morrow Motor Company Inc. carried this mortgage to an Attorney of the Asheville Bar for the purpose of having said lien on said automobile property brought to the attention of the Police Court, which said lien for some reason was never presented or filed at the Police Court. The foregoing was investigated by City Solicitor.

This the 17th day of April, 1922.

R. M. Wells,
Judge of the Police Court of the
City of Asheville, North Carolina.

McKinley Pritchard
Counsel for Tate Morrow Motor Co. Inc.

O. K. Bennett
Solicitor of the City of Asheville."

Agreed to, by:

STATE OF NORTH CAROLINA,

COUNTY OF BUNCOMBE.

STATE VS A. G. HERBIN / J U D G M E N T

In re: Petition of Tate Morrow Motor Company, Inc.

Upon hearing the Petition of the Tate Morrow Motor Company, Incorporated and upon reading the facts agreed upon and signed by McKinley Pritchard, Attorney for the Tate Morrow Motor Company, Inc. and O. K. Bennett Solicitor of the Police Court of the City of Asheville, North Carolina, in the matter of State vs. A. G. Herbin, in re: Petition of Tate Morrow Motor Company, Inc. It is ordered, adjudged and decreed that the Tate Morrow Motor Co. Inc. is entitled to the sum of $148.92 the amount of their lien against the automobile, seized from the defendant, A. G. Herbin and sold by said City of Asheville the proceeds of said sale having been paid into the City Treasurer of the City of Asheville.

It is further ordered adjudged and decreed that the Tate Morrow Motor Co. Inc. be paid by the City Treasurer of the City of Asheville, the sum of $148.92, of their duly authorized agent and attorney.

R. M. Wells.
JUDGE POLICE COURT-CITY OF ASHEVILLE."

The report of the Jury showing benefits and damages on account of condemnation of the land necessary for a right of way for the construction of a concrete storm sewer through the property of Mrs. Bradford, S. J. Sumner, J. Frank Phillips and others near Broadway, was presented to the Board and on motion, unanimously adopted.

TO THE HONORABLE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE, NORTH CAROLINA.

We the undersigned jurors having been duly summoned and sworn to assess damages to the lands of John D. Parker, Mrs. J. M. Bradford, S. J. Sumner, J. Frank Phillips owners of land situated, lying and being in the City of Asheville, a portion of which premises is required by the Board of Commissioners of said City for the purpose of constructing a concrete storm sewer as surveyed and staked off by the City Engineer, through the property of Mrs. Bradford, S. J. Sumner, J. Frank Phillips and others, and also to assess the benefits to the lands aforesaid, in pursuance to the condemnation of lands for said purpose, made by the Board of Commissioners of said City of Asheville, at their meeting held on the 22nd day of March 1922, and in pursuance of the writ thereupon issued by the Mayor of said City, dated April 6th, 1922 directing a policeman of said City to summon a jury for said purpose.

We, the said Jury having been duly summoned and sworn respectfully report as follows:

That on the 29th day of April 1922, the said parties in interest having had due notice we proceeded to view the lands heretofore condemned for said proposed improvement being the construction of a concrete storm sewer as surveyed and staked off by the City Engineer through the property of Mrs. Bradford, S. J. Sumner, J. Frank Phillips and others and also to view the lands contiguous thereto, and of the said parties mentioned in said writ and we find as follows:

That the lands of	John D. Parker,	is damaged		No	Dollars.
" " "	Mrs. J.M.Bradford	"	"	"	"
" " "	S. J. Sumner	"	"	"	"
" " "	J. Frank Phillips	"	"	"	"
That the lands of	John D. Parker	is benefitted		No	Dollars
" " "	Mrs. J.M.Bradford	"	"	"	"
" " "	S. J. Sumner	"	"	"	"
" " "	J. Frank Phillips	"	"	"	"

Respectfully submitted,

S. D. Hall
A. G. Barnett
John M. Campbell
N. A. Harrison
R. P. Walker
Weaver V. Wilson "

On motion, the following Building Permits were granted:

W. E. Chedester	7 room house	Hillside & N.Liberty	Estimated Cost	$5,500.00
L. P. Edwards	5 room house	Fourth Avenue	" "	2,000.00
H. S. Forster	Store room	Southside Ave	" "	6,000.00
Owen Gudger	4 rooms	125 Greenlee Alley	" "	700.00
C. W. Neely	Garage	175 Flint Street	" "	15.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, May 2nd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presi[ding]. The minutes of the previous meeting were read and approved.

The monthly report of the activities of the Fire Department was read and ordered filed.

On motion, the following building permits were granted:

F. M. Sevier	6 room bungalow	Majestic Avenue	Estimated Cost	$2,500.00
Mrs Naomi Laiford	Sleeping porch	16 Nevada Avenue	" "	100.00
E. Frank Gudger	Filling station	Roberts Street	" "	2,500.00
Yonne L.Gudger	Shower house	83 Montford Ave	" "	350.00
Dr.W. M. Holliday	7 room house & garage	174 Pearson Drive	" "	8,000.00
L. M. Hill	5 room house	Linden Avenue	" "	3,500.00
Mrs.J.G.Low	5 room house	rear 137½ Chestnut St	" "	2,000.00
J. E. Penland	6 room house & garage	Linden Avenue	" "	6,500.00
Sawyer Motor Co.	Addition to fruit stand	240 Patton Avenue	" "	35.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, May 3rd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion a building line was ordered established on Valley Street betwe[en] Biltmore Avenue and College Street in accordance with map or plat submitted by City Engi[neer], said building line more particularly and fully described as follows:

1st. Beginning at a point in the present East line of Valley Street 90 f[eet] from the Northwest corner of the Millard and Stikeleather stable, it runs with the pres[ent] East line about 800 feet to its junction with the North line of Eagle Street thence with the same line of Eagle Street Eastwardly 7.2 feet thence northwardly in a straight line to the beginning, being triangular in shape 7.2 feet wide at Eagle Street and running to a point at the north end.

2nd. Beginning in the south line of Eagle Street 9 feet eastwardly from its intersection of its East margin with Valley Street it runs southwardly 153 feet to a point in the South line of Haid Street 10 feet eastwardly from its intersection with the Eastern line of Valley Street thence along the south line of Haid Street to the Eastern margin of Valley Street thence with the Eastern line of Valley Street northwardly to its intersection with the South margin of Eagle Street thence with the South margin of Eagle Street eastwardly 9 feet to the beginning.

3rd. Ten feet wide lying east of the East line of Valley Street between the South line of Haid Street and North line of Beaumont Street about 1082 feet long.

4th. Ten feet wide lying immediately east of the East line of Valley St[reet] and extending from the South line of Atkins Street to the Eastern line of Biltmore Avenu[e] being about 1170 feet long.

5th Lying immediately south and west of the South and west line of Valley street beginning at a point in the southern line of College Street where the western line of Oak Street extended southwardly would intersect it, it curves to the right and gradually widens to 10 feet, 65 feet from the beginning. From this point it gradually narrows to three feet in width to the North line of Eagle Street as shown on the map.

R. C. Trout and Robert Lee Grant, having filed recommendations, criminal records, doctor's certificates and bonds as required under the Ordinance regulating the conduct of public service chauffeurs in the city of Asheville, on motion, their applications to conduct public service motor vehicles in the city were approved and it was ordered that they be granted the licenses requested.

On motion the following building permits were granted:

C. D. Buckner	Repairs	493 W Haywood St	Estimated Cost	$ 20.00
Jno. Crawford	addition	222 Flint St	" "	900.00
C. P. Miller	Garage	59 Blanton St	" "	300.00

On motion adjourned.

Secretary - Treasurer

Thursday, May 4th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A Mr. Young appeared before the Board and complained that the boys playing ball on the Asheville Avenue School grounds had knocked the ball over in his yard at #386 Asheland Avenue and struck his little girl in the head. He asked that the wire fence between his property and the school grounds be immediately put in repair in order to avoid such accidents in the future.

This matter on motion referred to the Superintendent of Schools for investigation and report.

A complaint that large boys in playing ball on the Park Avenue School grounds after school hours had knocked a ball into the Harkins building across the street breaking a window glass, striking a sick man in the head, was also referred to Superintendent Brooker for investigation and report.

On motion the following building permits were granted:

W. C. Britt	4 room cottage	S Grove Street	Estimated Cost	2,000.00
A. H. Felmet	5 rooms	Montana Avenue	" "	3,000.00
L. H. Hill	6 rooms	Biltmore Avenue	" "	3,500.00
John Kramerls	Repairs	44 Johns Street	" "	700.00
Ray Morris	2 houses	West Asheville		500.00
A. C. Mitchell	Store & Dwelling	Choctaw & Biltmore Av	" "	2,500.00
Emmett J.Davis	6 room house	177 Flint Street	" "	5,000.00
Ross Summey	1 room	16 Dundee Street	" "	20.00
Jon Todd	Sleeping Porch	8 Givins Street	" "	200.00
L.L.Tomlinson.	Addition to Garage	48 Vermont Avenue	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Friday, May 5th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Vice-Mayor Sherrill presiding, Mayor Roberts absent on official business. The minutes of the previous meeting were read and approved.

This being the day according to the City's advertisement that bids were to be received for the re-surfacing of Valley Street, on motion, the Clerk was instructed to open and read all bids submitted, whereupon the following bids were opened and read:

Asheville Paving Company	$1.62 per square yard.
Noll Construction Company	1.88 " " "

On motion, all bids were ordered referred to the City Engineer for tabulation and report.

A complaint that Mr. Clyde Reed in blasting in the Quarry near the French Broad River had damaged a building belonging to Mr. Tom Pruitt, was, on motion referred to the Commissioner of Public Safety.

A number of property owners owning property on Lincoln Avenue appeared before the Board and requested that this street be widened to a uniform width of 20 feet, a sidewalk constructed, and an additional street light erected thereon.

It was suggested to the parties present that a petition be filed requesting this improvement.

Weekly reports from the City Plumber, Electrical, Building and Plumbing Inspectors, City Sealer of Weights and Measures and the Dig Catcher, showing activities for the past week were read and on motion ordered filed.

The Commissioner of Public Safety reported the resignation of A. L. Freeman Patrolman which was, on motion, accepted.

On the recommendation of the Commissioner of Public Safety it was ordered motion that W. W. Britt be appointed to fill the vacancy caused by the resignation of Mr. Freeman.

On motion the following building permits were granted:

W. G. Howard	6 room house & garage	Tacoma & Enoree Sts.	Estimated Cost $8000.
W. T. Jones	6 room house & garage	Fagg property on Merrimon Avenue	" " 5000.

On motion, adjourned.

Secretary-Treasurer.

Saturday, May 6th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presi
The minutes of the previous meeting were read and approved:

It appearing to the Board that the bid submitted by the Asheville Pavi
Company of $1.41 per square yard for re-surfacing and putting a top coat of sheet asphalt
on Valley Street was the best and lowest bid submitted, onrecommendation of the Commissio
of Public Works it was ordered on motion that said concern be awarded the contract for sa
work.

A report from the Corporation [illegible] showing result of his investigat
of an ordinance prohibiting the sounding of horns and bells by operators of motor vehicles wa
presented to the Board on motion or ordered filed.

To the Honorable Mayor and Board of Commissioners
of the City of Asheville,
Asheville, N. C.

May 4,1922

Gentlemen:-

In response to the request of the Honorable Commissioner of Public Saf
for legal opinion as to the power of the Commissioner of Public Safety for legal opinion
as to the power of the Commissioner, to pass an Ordinance reducing the speed limit allowed f
motor vehicles to a lesser rate of speed than that prescribed by the State Laws, I have t
advise that on the 30th day of last month the Supreme Court in the case of State vs.Fresh
water,reported in 111 Southeastern, on page 161 holds as follows:

"Our consolidated Statute, section 2618 limiting speed of automobiles
to 15 miles per hour in the residence section of the City and to 10 miles per hour in the
business section; and Section 2599 making the violation of those Statutes punishable by a
fine not exceeding $50. and imprisonment not more than thirty days, and Section 2601 in-
hibiting persons of minors to be driven by a City contraty to the provisions of the Chapter in which
these sections are found; and any ordinance limiting the speed of automobiles to a lesser
[illegible] than 15 miles per hour in the residence section and to 10 miles per hour in the bu
siness section of any city is null and void.

I quote further from said opinion:

"While local ordinances are ordained for local purposes in the exercise
of delegated legislative authority and must harmonize with the general laws of the State.In
case of conflict the ordinance must always yield to the State law",

I refer to the reckless and careless driving upon certain streets of
the City, which are narrow and are constructed practically upon a curve, I desire to
call your attention to that portion of Section 2616 of the Consolidated Statutes providing
as follows:

"The driver of a motor vehicle upon approaching an intersecting highway,a bridge, dam. sharp curve
or steep descent, and also in traversing such intersecting highways, dam, curve or descent
a person operating a motor vehicle, shall have it under control and operate it at such
speed not to exceed 20 miles an hour, having regard to the traffic then on such highway
and the safety of the public".

In my opinion it appears to me adequately takes care of the complaint
heretofore filed with the Board as the Statutes expressly provide that the car must be-
under complete control and not exceed a speed of 10 miles an hour. This leaves the questio
as to whether the car is under control and does not necessarily mean that a person operati
a motor vehicle on any street whose condition is such as mentioned above, can run 10 miles
an hour, but if necessary to have the car under control to run at 2 miles an hour, the
operator of the car would be guilty of violating this Statute if in excess of 2 miles or a
other speed under 10 miles an hour when the car would not be under complete control.

Upon the [illegible] decision [illegible] thereof [illegible] that in my opinion
[illegible] reduce the speed limit to a lesser degree than that described by the
effect whatever[illegible] Legislature would [illegible] void.

A law also been requested by the Honorable Commissioner of Public Safety
to file an opin[illegible] the legality of a proposed [illegible] prohibiting the sounding of
horns and bells by the operators of motor vehicles within the fire limits of the City, and
in reply thereto I [illegible] advise that Section 2616 of the Consolidated Statutes provide
that "every person [illegible] operating a motor vehicle shall slow down and give a timely signal with
his bell, horn or other device for signaling upon approaching an intersecting highway, a
bridge, dam, sharp curve or deep descent, or upon approaching a pedestrian who is walking in
travel part of the highway and not upon a sidewalk and upon approaching an intersecting
highway or a curve in the highway where the operator's view is obstructed".

In my opinion, the portion of the section quoted above absolutely prohibit-
[illegible] the passage of any ordinance as suggested. In one of the cases cited in the decision
mentioned in the preceding paragraph hereof, the Court said: "A Municipal Corporation is a
creature of the Legislature, and such creature possesses only the right to function when
authority in clear and distinct terms is given therefor. It is needless to say that a
creature of the legislature can not perform or do anything in conflict with the act of the
legislature, and the members of any governing body of a Municipal Corporation who undertake
to place restrictions upon the citizens of the State in conflict with the general law, in
usurping power and authority which does not belong to them and their action in that particu-
lar is absolutely null and void and in many instances the individuals thereof are [illegible]
and personally responsible for their actions in violation of the law of the State."

I have purposely delayed the filing of this opinion, awaiting a copy
of the decision of the Court in the Freshwater case and having received the same this morning
I am immediately filing the opinions as requested.

Yours respectfully,

George Pennell.

Corporation Counsel. "

b/p

A report showing cash collections in the Department of Public Safety
for the month of April, was presented to the Board and on motion, ordered filed.

On motion, the following building permits were granted:

Asheville Home Builders-	7 room house	Flint St.	Estimated Cost $5,[illegible].00
Jennie L. Burgess	Repairs	7 Ridge Street	" " 60.00
Myrton Josephson	Repairs	54 Asheland Avenue	" " 65.00
J. H. McCormick	Repairs	310 Merrimon	" " 300.00
J. M. Metcalf	Garage	318 Broadway	" " 35.00
Thomas Orr	Stable	38 Sassafras	" " 10.00

On motion, adjourned.

Secretary-Treasurer.

Monday, May 8th, 1922 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts pre-
siding. The minutes of the previous meeting were read and approved.

A request that an arc light be installed on South Grove Board Avenue
in front of the new hospital was on motion, referred to the Commissioner of Public Works for
investigation and report.

The complaint filed by Attorney W. P. Brown representing the Pickens
Bradley Company of alleged damage to their property on Broadway by overflow water from
a ditch dug in connection with the water main on that street, was on motion referred to the
Corporation Counsel and the Commissioner of Public Works for investigation and report.

To the Honorable Mayor and Board of Commissioners
of the City of Asheville:

Asheville N. C.
May 4th, 1922

You will take notice that Pickens-Bradley Company , whose place of
business is 41 Broadway in the City of Asheville, on or about the ____ day of April 1922,
suffered damage to the extent of one hundred and forty dollars by reason of the negligent
and careless acts and omissions of the City of Asheville in that by reason of a certain
ditch being dug in front of claimant's place of business and thereby ponding water which
water found its way into the basement of claimant's and damaged claimant's goods, wares
and merchant-dise to the extent above set out; due to the careless, negligent acts and ommissions
of the said city its agents, servants and employees; which said sum claimants demand of the
said city as damages and compensation therefor.

Pickens Bradley and Co.
per W. P. Brown
Attorney for Claimants. "

File No. [illegible]
Letter 137

On motion, the following building permits were granted:

J. W. Nichols	2 bungalows	Woodrow Avenue	Estimated Cost	$ 5,150.00
W. J. Howe	5 room house	535 Hillside St	" "	3,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, May 9th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A committee representing the real estate dealers of the city appeared before the Board and requested that the Board of Commissioners, in drafting the special tax Ordinance for next year, reduce the tax on real estate dealers on a par with the tax levied by the State on lawyers and physicians, calling attention to the fact that lawyers engaged in real estate business and paid a tax of only $5.00, whereas real estate dealers were required to pay $25.00 to the State and $25.00 to the City.

This matter on motion taken under advisement.

A petition requesting that Lincoln Avenue be widened to a uniform width of twenty (20) feet and a sidewalk constructed thereon was presented to the Board and on motion referred to the City Engineer for investigation and report as to the front footage of property owners represented thereon.

"To the Honorable Mayor and Board of Commissioners of the
City of Asheville:

We the undersigned, property owners and tax payers of the City of Asheville owning property abutting on Lincoln Avenue, respectfully petition your Honorable Body to take the necessary steps to widen said street to a uniform width of twenty (20) feet and construct a sidewalk thereon.

Respectfully submitted.

Name.	Front Footage Owned.
Ed Brite	West 89½ feet.
Viola F. Brite	89½ feet
Leonde Fleming	89½ feet
Larkin Dermody	35 Feet
Willie Williams	140 feet
Glen Moore	37 Feet
Florence Brite	89 feet
H. W. Bird	85 feet - 125 ft.
Maggie Miller	40 feet
H. F. Jones (Blackwell Est).	114 feet
S. D. Mundy	75 feet
J. P. Sherrill	280 feet
O. L. McCoy	60 feet. "

The matter of a sanitary nuisance in the street near the intersection of Swannanoa Avenue and Hillcrest Street was on motion referred to the Commissioner of Public Works for investigation and report.

A resolution adopted by the North Carolina State Board of Health, at meeting held in Winston Salem, N. C. on April 24th, recommending the installation of a chlorination plant for the purpose of chlorinating the water supply of the City of Asheville was presented to the Board by the Commissioner of Public Works and on motion, taken under advisement.

"MINUTES ANNUAL MEETING OF THE NORTH CAROLINA STATE BOARD OF HEALTH
Winston Salem, North Carolina, April 24,1922.

RESOLVED That it is the sense of the North Carolina State Board of Health first, that the City of Asheville is most fortunate in the character of its public water supply: second, that while the possibility of pollution with human filth is exceptionally remote nevertheless the presence of bacillus coli in the official analyses of the water are likely to be unduly and unfavorably interpreted by persons not familiar withthe natural factows safety related to the said supply; and third, that in order to eliminate unnecessary suspicion a chlorinating plant should be installed.

- - - - - - - - - -

This resolution was unanimously adopted April 25 1922.

A petition requesting the extension of a water line on Electric Street to accommodate the properties of Ioplenna Murphy, J. H. Bryson, J. A. Clark and others, was presented to the Board and on motion referred to the Commissioner of Public Works for investigation and report.

"Asheville, N. C.
May 3rd, 1922.

BOARD OF COMMISSIONERS
ASHEVILLE NORTH CAROLINA.

Dear Sirs:

The undersigned respectfully petitions your honorable body to construct a water pipe line, being an extension of the present pipe line, in Electric Street in the City of Asheville, for the accommodation of petitioners' property together with the adjoining property.

Respectfully submitted.

Ioplenna Murphy
J. H. Bryson
J. A. Clark "

On motion, the Purchasing Agent was authorized and instructed to advertise for bids, returnable May 22nd for refreshment privileges at Aston Park beginning June 1st, and ending September 15th, 1922.

On motion the Purchasing Agent was authorized and instructed to advertise for bids returnable May 25th, for the laying of approximately 35 or 40 thousand yards of paving on Biltmore and Southside Avenues, the work to be done in accordance with the specifications furnished by the City Engineer.

On motion the following building permits were granted:

C. L. Barefoot	5 room house	Pennsylvania Avenue	Estimated Cost	$3,000.00
L. W. Cherry	7 room house	33 Pisgah Avenue	"	7,000.00
J. R. Durrett	5 room house	Murdock Avenue	"	3,500.00
J. R. Durrett	Garage	Murdock Avenue	" "	150.00
W. A. Kilgo	Recover house	139 Hanover Street	" "	165.00
Normal School	7 room house	Biltmore Avenue	" "	10,000.00

On motion adjourned.

Secretary-Treasurer.

Thursday, May 11th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A committee representing Encampment #2 I. O. O. F. appeared before the Board and asked that the word "dishonorable" where it appears in the resolution discharging W.H.Bird from the service of the city be stricken out and esponged from the records.

Messrs Clark, Stirewalt and others, stated that the organization represented by them had thought that this word was a little severe in view of the fact that Mr. Bird had committed no offense for which he could be prosecuted.

Commissioner of Public Safety R. L. Fitzpatrick, moved that the word "dishonorable" where it appears in the said resolution be stricken out and esponged from the records, said motion being seconded by the Commissioner of Public Works. Mayor Roberts stated that unless Mr. Bird would appear before the Board and state that he made a mistake and refund the $500.00 accepted by him which belonged to the City school children he could not vote to strike out the word complained of, however the motion of Commissioner Fitzpatrick on being put to vote carried, Commissioner Fitzpatrick and Commissioner Sherrill voting aye and Mayor Roberts voting no. It was ordered that the word "dishonorable" where it appears in the resolution, passed on July 28th, 1921. (Minute Docket #17, page #10) be stricken out and esponged from the records of the city.

A request from Judge R. M. Wells that the present conditions in the Police Court room either be remedied or that a new Court room be furnished in which to conduct the business of the Court was presented to the Board and on motion, ordered filed.

"NORTH CAROLINA
BUNCOMBE COUNTY
CITY OF ASHEVILLE.

IN THE POLICE COURT

Whereas, the work which has been done and is being done on the City Hall for the City of Asheville, North Carolina, has rendered the Police Court Room unsanitary and dangerous for want of proper lights and ventilation; and the racket caused by the work which is now in progress makes it practically impossible for the Court to proceed with the business.

It is therefore requested by the Court that the Mayor and the Commissioners of the City of Asheville, either remedy the conditions as above described and place the present Court room in proper condition or furnish a Court room in which the Police Court of the City of Asheville may proceed with the business, and that the health conditions of the said Court room be placed in such a condition as will be approved by the City Health officer.

This the 10th day of May 1922.

R. M. Wells,
Judge of the Police Court of the
City of Asheville, N. C. "

On motion, the following building permits were granted:

John Burns	5 rooms	27 Ocala Street Estimated Cost		$300.00
Mrs.J.M.Cathey	8 room house	Flint & Magnolia "	"	3000.00
Mrs.M.H.Fletcher	fruit stand	Chestnut Street "	"	400.00
" " "	4 room house	Gay Street "	"	700.00
Dr. M. H. Fletcher	garage	199 Haywood St "	"	150.00
F. W. Harris	6 room house	Southside of Houston "	"	4500.00
J. A. Jackson	1 room	Roberts Street "	"	50.00
B. R. Morrow	1 room	Haywood Road "	"	75.00
Lee Owenby	Reservoir house	78 Cherry St "	"	200.00
Mrs.L.C.Parker	7 room House	Forest Hill "	"	6000.00
Miss G. Redwood	Garage	90 Cumberland "	"	120.00
W. E. Stafford	1 room addition	78 Louie Street "	"	400.00
Mrs. Beulah Brown	8 room House	Zackery Estate "	"	2500.00

On motion, adjourned.

Secretary-Treasurer.

Asheville, May, 12th 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The application of Mrs. Henrietta Ricks for permission to erect a tent in which to hold religious services in the city, was on motion, taken under advisement, the applicant being requested to confer with the Board as to the location before definite action is taken.

On motion, Mrs. Henrietta Ricks was granted permission to hold open air religious services on the streets provided she comply with such restrictions as are prescribed by the Chief of Police.

The request of Dr. H. H. Briggs that a new street be opened through from Haywood Street to Roland Avenue near the Auditorium thereby opening up unimproved property in the rear of his home on Haywood Street, was, on motion, taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

The report of Mr. Charles E. Waddell, Consulting Engineer showing the result of his investigation of the City's water reservoir was presented to the Board and on motion ordered filed, the Commissioner of Public Works stating that he would probably be in position to make recommendations in a few days.

"Mr. R. J. Sherrill,
Commissioner of Public Works,
Asheville, N. C.

Dear Sir:-

In compliance with your request I have examined the reservoir and have

reached the following conclusions.

(1) That to all appearances and insofar as chemical analysis can indicate the concrete is in the process of progressive decomposition and will ultimately fail. The cause is unknown.

(2) I concur in your opinion that it is sound business to "take the proverbial stitch in time" and save the structure by rendering the concrete waterproof and by relieving the stress in the steel.

(3) In round numbers I estimate the cost of repairs as $40,000.00 and the time required to do the work from two to three months.

Each of the above points is discussed in detail hereinafter.

Yours very truly.

CHAS. E. WADDELL "

One Albert Austin having filed recommendation, criminal record, Doctor's certificate and bond as required under the Ordinance regulating the conduct of public service chauffeurs in the City of Asheville, on motion, his application to conduct a public service motor vehicle in the city was approved and it was ordered that he be granted the license requested.

On motion, adjourned.

Secretary-Treasurer.

Saturday, May 13th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Works it was ordered on motion that Mr. C. E. Waddell be appointed to supervise and inspect the work and approve the plans covering the repairs to and the re-construction of the city's present reservoir and submit an estimate of the cost of constructing a dam on the Bee Tree water shed sufficient to store approximately 90 million gallons of water.

It is understood and agreed that Mr. Waddell's fee for this work will be 2% of the cost of repairing or re-constructing the present reservoir and not exceeding $1,000.00 for his services in connection with the erection of a storage dam on Bee Tree.

An application was made to the Board for permission to erect a store on an unopened street running from West Haywood Street to Spring Street near the end of the Patton Avenue car line.

The applicant was informed that in view of the fact that the said street had never been accepted by the City, the city had nothing to do with it.

On motion, the Mayor was authorized and instructed to issue a check in favor of Powerton-Tirsway Company for $11,471.23 part payment on the contract for the installation of certain water lines in the city.
This in accordance with the City Engineer's estimate of May 11th, 1922.

Weekly reports from the Street, Street Cleaning, Health, and Public Nursing departments, City Plumber, Building Inspector, Plumbing Inspector, City Sealer of Weights and Measures, and the Dog Catcher showing activities during the past week, were read to the Board and on motion ordered filed.

On motion the following building permits were granted:

R. Byerly	5 room house	19 Louisiana Ave	Estimated Cost	4,000.00
L. Fisher	Repairs	17-19-21-23-25 Victoria	" "	700.00
Frank Gaper	Alterations	Sunset Drive	" "	3,500.00

On motion, adjourned.

Secretary-Treasurer.

Monday, May 15th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney C. L. Williams, representing the owners of the Carolina Apartments, appeared before the Board and requested that a [illegible] be placed in the center of French Broad Avenue at its intersection with Haywood Street, to keep traffic to the right, and also that Quiet Zone signs be placed on French Broad Avenue below the Carolina Apartments. Mr. Williams explained that this request was made in an effort to eliminate some of the undue noise from automobile horns, stating that drivers of automobiles were in the habit of cutting the corner where French Broad intersects Haywood Street and using their horns excessively instead of turning to the right as required by Statute. This matter on motion, referred to the Commissioner of Public Works for investigation and report.

W.

[illegible] appeared before the Board and filed a petition signed by [illegible] tax payers requesting that one public service automobile be allowed to be parked on [illegible] to be designated by the Chief of Police. This matter on motion, referred to the Commissioner of Public Safety for investigation and report.

"To the Hon. Mayor and Commissioners,
The City of Asheville.

Asheville, N.C. May 9th, 1922.

We the undersigned citizens of Asheville do hereby recommend that you allow a public service automobile to be parked on South Pack Square, at a certain stand designated by the Chief of Police, with the understanding that there shall be only one public service automobile to occupy said square at any one time and only at the stand designated by the Chief of Police.

NAMES.

J. M. Sumner
Emporium
Silver's
E. B. Ft Mann
[illegible] Dunlap
J. F. Carter

NAMES.

C. M. Fortune
Don't. Young
D S. Schandler
F. M. Messler
D. S Watson
C. C. Willis "

On motion the following building permits were granted:

Miss Carr	[illegible]	Montford & W.Chestnut	Estimated Cost	600.00
Clarence Kapp	[illegible]	307 Hill Street	" "	400.00
Annie E. Rhyne	7 room [illegible]	98 Michigan Avenue	" "	3000.00
J. F. Sears	remodel [illegible]	& Ridge Street	" "	100.00
J.M.Trull	1 room addition	West Asheville	" "	50.00
Sadie Pentman	Small garage	10 Highland Street	" "	100.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, May 10th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

File No. / Letters

The recommendation of the Commissioner of Public Safety that an additional [illegible] be placed at the corner of Patton Avenue and Market Street in West Asheville, was on motion, referred to the Commissioner of Public Works.

O. S. Lipinsky appeared before the Board and requested that a Policeman be stationed at the intersection of College and Lexington Avenue to properly direct automobilists, stating that on two occasions the show windows in the front of his store had been broken out and a woman killed in front of his store due to the fact that drivers of motor vehicles carry [illegible] insisting on travelling south on Lexington Avenue in violation of the city ordinance.

Mr. Lipinsky was informed by the Commissioner of Public Safety that the Chief of Police had already received instructions to place a patrolman at the intersection of College Street and Lexington Avenue.

The resignation of H. M. Rogers care taker of the Public Comfort Station was presented to the Board and on motion accepted. On motion, one J. M. Dawson was appointed to fill the vacancy caused by the resignation of Mr. Rogers.

On motion one J. J. Turnbull was appointed Special Agent to confer with property owners with reference to securing a right of way for the installation of a sanitary sewer line in the vicinity of Virginia Avenue.

On motion the map or plat submitted by the City Engineer, was adopted as the zone of benefits and damages on account of the aforementioned improvement.

On motion it was ordered that the successful bidder for the paving on Baltimore and Southside Avenues be required to furnish an indemnity bond in the sum of $20,000.00 to save the City harmless from all claims or damages that might arise.

A complaint of one Mr. Taylor that his property had been damaged by the the City turning surface water through his property on Haywood Road, was on motion, referred to the Commissioner of Public Works, for investigation and report.

File No. / Letters

On motion the following building permits were granted:

P. Derumple	6 room addition	97 Hildebrand St	Estimated Cost	$1,000.00
Mrs. Hemegar	1 room addition	9 Cumberland Ave	" "	400.00
Mrs. J. Hyndman	Glassing porch	15 Furman Ave	" "	100.00
T. A. Welch	Build porch	West Asheville	" "	50.00
Alice Wood	Repairs	61 Circle St	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday - May 17th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The application of one C. A. Mills representing the Burton Sign Company to erect a sign board on the City's lot on Roberts Street was on motion taken under advisement, the Commissioner of Public Works reporting that he was under the impression that the Good Roads Association had granted the Standard Oil Company permission to erect a sign on said lot advertising Asheville.

The complaint of one Mr. Graham through his attorney that his property adjacent to the Park Avenue School grounds was being damaged by large boys knocking the balls through his windows and into his garden, after school hours was on motion taken under advisement, the Mayor stating that this matter was now being investigated by the school superintendent.

A petition requesting the opening up of the street connecting Chestnut Street and extending from Broadway to Flint Street was presented to the Board and on motion referred to the City Engineer, with request that he furnish the Board with a map or plat showing the proposed street and submit an estimate of the cost of opening same.

"To the Honorable Mayor and Commissioners,
Asheville, N. C.

Asheville, N.C. April 24, 1922.

Sirs:

We the undersigned, property owners on and adjacent to West Chestnut Street, for reason set forth below, petition your Honorable Body to consider the acceptance (if not already accepted) of opening up a thoroughfare and improving as a street the land set aside for a street connecting Chestnut Street and extending from Broadway to Flint.

Our reasons for petitioning you ar this time are as follows:

1. The present condition of the street is that it is blocked up at the Broadway intersection; it is impassible for traffic and almost so for pedestrians; and these two handicaps to traffic and pedestrians necessitate a roundabout route to the business district and car line.

[illegible] taxpayers feel that we are entitled to the conveniences [illegible] thoroughfare confronting our respective properties.

[illegible] feel that the past, present and prospective developments on [illegible] at this time.

[illegible] this link will complete the only direct thoroughfare [illegible] Merrimon-Charlotte-Grove Park section. At present [illegible] sections, necessitating a zig-zag [illegible] Broadway. This link would complete [illegible] Avenue, an east and west route extend- [illegible]

[illegible] improving this street at this time we believe [illegible] later for the following reason: Dirt may be [illegible] East Streets and Broadway for making the [illegible] hill is developed, the opportunity of getting this dirt shall [illegible] this hill, we suggest that the city make [illegible] dirt and put it in the fill as mentioned above.

Name	Address.
Signed:	
[illegible]	267 Broadway Cor. W Chestnut
[illegible]	Corner W Chestnut and Broadway
[illegible]	47 W Chestnut
[illegible]	54 W Chestnut
[illegible] Boyle	Woodlawn and W Chestnut
[illegible]	31 W Chestnut Street
[illegible]	248-corner Rankin & W Chestnut
[illegible] Boehrer	W Chestnut and Woodlawn
[illegible]	35 W Chestnut
[illegible]	Woodlawn Avenue
[illegible]	169 Flint St
J. M. Hawener	264 Broadway
L. M. [illegible]	360 Broadway
[illegible]	275 Broadway
[illegible]	Carolina Creamery Co
[illegible]	336 Broadway
[illegible]	372 Broadway
[illegible]	55 Woodlawn Avenue
[illegible]	556 Broadway
[illegible]	254 Broadway
[illegible]	- - - - - - - -
[illegible]	254 Broadway
[illegible]	12 Chestnut St
George Ledbetter	- - - - - - -
[illegible]	- - - - - - -
[illegible]	- - - - - - -

[illegible] requesting the paving of Linden Avenue was presented to [illegible] Engineer for investigation as the property [illegible]

[illegible]

[illegible] property owners contiguous and adjacent to [illegible] respectfully petition and urge the paving of [illegible] mud. The distance to be paved will not be very [illegible] for getting in or out and the street is rapidly [illegible] consistently say that we are entitled to have this [illegible]

[illegible] of your petitioners together with the [illegible] which is owned or controlled by them:

Name	Feet
[illegible]	
[illegible]	200 (West)
J. [illegible]	51½ (West)
[illegible]	60 (East)
[illegible]	60 (East)
[illegible]	51½ (West)
E. [illegible]	
J. [illegible]	216 feet East
J. [illegible]	60 " "
R. S. Hoffman	120 " "
Mrs Andrew [illegible]	50 " West
Ralph R. Lee	68 West
Jos. B. [illegible]	75 feet west
Edward [illegible]	421.14 feet East
F. H. Snipes	114 feet west
S. L. Roberts	175 feet West
D. S. Simpson	100 feet East
R. V. Morrow Agent	60 feet east
R. H. Hood	160 feet West
Mrs Z. S. Philbrook	50 feet west
per I. F. Sneed	50 feet west

File No. [illegible]
Letters [illegible]

J. J. [illegible] special agent appointed by the City reporting that he had been unable to reach any agreement with the interested property [illegible] to securing the necessary land for the right of way for a [illegible] of Virginia Avenue, the Mayor was on motion authorized to issue his writ for a [illegible] to condemn the land necessary.

On motion the following building permits were granted:

G. W. Bennett	3 room house	242 S Beaumont Street	Estimated Cost		[illegible]
J. D. Earl	store building	45 Broadway	"	"	[illegible]
J. W. Gentry	store building	Pearl Street	"	"	[illegible]
J. W. Gentry	[illegible] room house	Ann Street	"	"	[illegible]
F. N. McFall	4 room house	Bellair Avenue	"	"	[illegible]
A. M. Wilson	Repairs	36 Vivian Avenue	"	"	[illegible]

On motion, adjourned.

Secretary-Treasurer

Thursday, May 19th, 19[illegible]. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts providing. The minutes of the previous meeting were read and approved.

The Commissioner of Public Works reported that he had investigated Mr. Taylor's complaint of alleged damage to his property on Haywood Road by surface water, and had found that the necessary pipe would cost between $[illegible] and $[illegible] and the labor between $40.00 and $[illegible] and would recommend that the city furnish the pipe, provided that Mr. Taylor either pay for the labor or do the work himself.

On motion, this matter was left open awaiting advice from Mr. Taylor.

The City Engineer's report showing the total and pro-rata cost to property owners on account of paving Crescent Street from Broad Street to Madison Avenue with concrete, also amount due Contractor E. T. Belote ($4,347.[illegible]) for the work, was presented to the Board.

On motion, the liens were ordered advertised as provided by law and the Mayor authorized to settle with the contractor.

On motion the following building permits were granted:

N. L. Bowman	Garage & Repairs	35 Buttrick St	Estimated Cost		[illegible]
Flott Boyd	5 room house	44 Pearson Drive	"	"	3000.00
Miss Maude Coxe	alterations	Government Street	"	"	[illegible]
Lon Ledford	1 room addition	West Asheville	"	"	450.00
J. W. M. Smith	3 room addition	84 Center Street	"	"	1500.00
Mrs. J. A. Watkins	build porches	74 Oakland Road	"	"	3000.00

On motion, adjourned.

Secretary- Treasurer.

Monday, May 22, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. [illegible] business. The minutes of the previous meeting [illegible].

[illegible] Jr., representing Mr. Chas. E. Lyman, presented a petition [illegible] that the City endorse and adopt the automatic [illegible] at the southeast corner of Pack Square.

Mr. [illegible] stated that this device had been thoroughly tested, Mr. Lyman paying [illegible] for a year, and asked that same be purchased by the City at a cost of [illegible] for twenty years and that the cost of upkeep [illegible].

[illegible] matter, on motion, laid in abeyance pending the return of Commissioner R. J. [illegible].

File No. [illegible] Letters [illegible]

P E T I T I O N

To the Board of City Commissioners of Asheville:-

We, the undersigned, having seen the Automatic Road Signal at the north east corner of Pack Square the past year or more, say that we think it [illegible] signal, and would save many people from accidents. We therefore respectfully petition your Board to adopt it for use at that corner.

[illegible]
[illegible] Lay
[illegible]
[illegible] Caldwell
[illegible] Conner
John J. Gillis
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] Motor Co)
[illegible]
[illegible]
[illegible] Cooper (Cooper Motor Co.)
[illegible]
[illegible] Hester
[illegible] Neely
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

A complaint of the impassible condition of Craven Street due to heavy traffic was, on motion, referred to the Commissioner of Public Works for investigation and report.

[illegible] according to the City's advertisement that bids were to be received for the refreshment privileges at Aston Park, the Clerk was, on motion, instructed to open the said bids whereupon the following bids were opened and read:

F. C. Pike, 7 Merrimon Ave.	$50.00
L. [illegible] Gentry	307.75
B. H. [illegible], 31 Broadway	326.15
J. A. [illegible]	339.00
J. A. [illegible]	338.00
[illegible], 1 [illegible]	401.00

On motion, all bids were taken under advisement until the regular meeting tomorrow morning.

The request of one Rosa Mashburn for sanitary toilet facilities at 6 Gudger Street was, on motion, referred to the Commissioner of Public Works for investigation and report.

Howard Seymour, Victor Bender, W. H. Andrews, R. E. Dann and D. O. Allison, having filed respective [illegible], driver's certificates, court records and bonds as required under the ordinance regulating the conduct of public service chauffeurs in the city, on motion the application of each of them was approved and it was ordered that each of them be granted the license requested.

Reports from the City Plumber, Plumbing Inspector, Electrical Inspector, Building Inspector, and the Sealer of Weights and Measures were read and, on motion, ordered filed.

On motion, the following building permits were granted:

Carrie M. Wilson	[illegible]	Cumberland Ave.	Estimated cost	$10,000.00
J. M. Hill	[illegible]	70 Magnolia Ave	"	" 150.00
M. L. Johnston	[illegible]	117 S. Franch Broad	"	" 4,500.00
Carl [illegible]	[illegible]	111 S. Liberty St.	"	" 3,000.00
E. Villane	[illegible]	Weaver Lot	"	" 100.00
J. T. Carter	Two [illegible]	Olney Street	"	" 1,300.00
R. [illegible] & J. E. Moss	[illegible]	47 Brick St	"	" 100.00
[illegible]	[illegible]	Pine St.	"	" 75.00
[illegible]	[illegible]	Spruce St.	"	" 5,000.00
[illegible]	[illegible]	83 Cumberland Ave.	"	" 35.00
[illegible]	[illegible]	150 College St.	"	" 38.00
[illegible]	[illegible]	12 Dundee Ave.	"	" 250.00
[illegible]	[illegible]	33 Fagg Street	"	" 50.00
[illegible]	[illegible]	Charlotte St.	"	" 7,000.00
W. V. Coulman	[illegible]	6 Haywood Road	"	" 100.00

On motion, [illegible].

Secretary-Treasurer.

Tuesday, May 23rd, 1916. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible]

Attorney W. P. Brown representing interested property owners, appeared before the Board and objected to the small store building or refreshment stand now being erected on Pearl Street by one J. W. Gentry, calling attention to the fact that Mr. Gentry proposes to erect a small temporary structure near Aston Park which will extend out beyond any of the residences on the street and thereby prove exceedingly objectionable.

Mr. Brown together with Mr. Marcellus, one of the interested property owners, stated that if Mr. Gentry would agree to erect his building on a line with the other buildings, a great deal of the objectionable feature would be eliminated.

After some considerable discussion during which Mr. Gentry stated that he had complied with the instructions of the building inspector and had moved the building back eight (8) feet, an Ordinance presented by Commissioner Fitzpatrick establishing a building line on the East side of Pearl Street from Minick Avenue to the building on said street adjacent to Patton Avenue on a line with the other buildings, was on motion passed on its first reading.

[illegible]

Attorney J. Y. Jordan Jr. representing Mr. Charles E. Lyman was again before the Board advocating the purchase by the City of the traffic signal now in use on the Northeast corner of Pack Square.

Mr. Lyman was informed by the Commissioner of Public Works that a great deal of complaint had been filed relative to the said signal and he could not recommend its purchase, however, he would recommend that it be taken out.

The matter of the merits of the signal was gone into at some length by Mr. Jordan, however, the Board not having the opportunity of thoroughly discussing the proposition, no action was taken.

[illegible]

The matter of the proposed new street from Broadway to Flint street was again called to the attention of the Board and on motion, taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

[illegible]

Messrs Randolph and Rowland, appeared before the Board advocating the immediate opening of a street lying west of the Court House between College and Marjorie Streets explaining that the minutes of the Board of Commissioners showed that both the County and Frank and B. George Barber had agreed to donate land for said improvement.

Mr. Randolph stated that he and Mr. Rowland would agree to pay one third of the cost of opening said street provided the city would do the work at once.

This matter on motion taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

[illegible]

Mr. Johnson appeared before the Board and explained that he was going to erect a small building on Spruce Street, however, investigation disclosed the fact that there was no sewer available.

This matter on motion, referred to the City Engineer for investigation and report.

[illegible]

The City Engineer reported that acting under the instructions of the Commissioner of Public Works he had notified Mr. Carrier of the action of the Board in establishing a building line on Valley Street but had been advised by Mr. Carrier that he expected to pay no attention to the building line as established by the City Commissioners but would erect his building to conform with the old line.

On motion of the Commissioner of Public Works duly seconded and unanimously adopted, the map or plat submitted by the City Engineer was adopted as the zone of benefits and damages on account of the proposed condemnation of certain lands belonging to Mr. A.H.Carrier on Valley Street said land to conform with the building line heretofore adopted by the Board of Commissioners.

On motion duly seconded and unanimously adopted Mr. T. L. Dockery was appointed special agent for the City to confer with interested property owners in an effort to reach an agreement with reference to said land it is proposed to condemn.

[illegible]

The need of parking regulations at the Baseball Park on Southside Avenue, was called to the attention of the Board. No action taken.

An ordinance providing for the installation [illegible] was presented to the Board and on motion passed [illegible]

[illegible] was authorized and instructed to issue a check [illegible] on account payment on the City Hall contract.

The following building permits were granted:

			Estimated Cost	
W. [illegible]	[illegible]	427 Broadway		
Mrs. Lillie [illegible]	[illegible]-1 [illegible]	Dorcas Drive	"	"	$50.00
H. S. Turner	[illegible]	16 Bartlett St	"	"	5000.00
T. T. Jarrett	[illegible]	117 Shelburne Ave	"	"	200.00
[illegible]	4 Room House	Valley Street near Grail	"	"	2000.00
[illegible] Lippincott	[illegible]	98 Hill Street	"	"	1500.00
M[illegible] P. Lilly	[illegible]	Logan Park	"	"	100.00
[illegible]	[illegible]	Pine Grove Ave	"	"	400.00
F. A. Whitehead	[illegible]	Tacoma Street	"	"	2500.00
James Avery	[illegible]	47 Depot Street	"	"	5000.00
W. B. Welch	Sleeping Porch	765 Haywood Road	"	"	150.00
G. [illegible]	[illegible]	21 Elizabeth Street	"	"	100.00
" " "	[illegible]	" "	"	"	5000.00
					200.00

[illegible], adjourned.

Secretary-Treasurer.

Wednesday, May 24th, 1922. 11 O'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the preceding meeting were read and approved.

Attorney R. R. Williams, representing Mr. A. H. Carrier, appeared before the Board with reference to the proposed condemnation of land for the purpose of widening Valley Street.

Mr. Williams stated that his client's property was so situated as to [illegible] feet, that if 10 feet was taken on the Valley Street side it would cause him [illegible] entire lot but would necessitate the tearing down of a portion of the property before the building, now contracted for, could be erected. He stated that his client had [illegible] but had been delayed some six (6) months by action of the City in [illegible] and had lost several thousand dollars due to the increase in the cost of labor and material. He also stated that his client in compliance with the ordinance had secured a Building Permit and pursuant to the said permit had already [illegible] necessary material for the erection of his building on the corner of College and Valley Streets, that further delay would entail another loss due to the increase in the cost of the material contracted for.

The City Engineer explained that in his opinion and in the opinion of the property owners, the widening of Valley Street was of the [illegible] importance, due to the fact that a thoroughfare leading from the Asheville Section to Biltmore Avenue and the Depot Section would greatly relieve traffic conditions in the lower part of the city.

[illegible] reporting that he had been unable to reach an agreement with reference to the proposed condemnation of land [illegible] with reference to the proposed condemnation of land for the purpose of widening Valley Street, the Mayor was on motion authorized and instructed to secure a more full and complete description of said improvement, and plat submitted by the City Engineer and now on [illegible] Secretary-Treasurer, the Mayor was on motion authorised and instructed to secure from Mr. A. H. Carrier, a deed conveying the land necessary for said aforementioned improvement, and to secure a deed from the property owners on the west side along the property belonging to Mr. A. H. Carrier, [illegible] map or plat prepared by City Engineer B.M.Lee.

"To the Honorable Mayor and Board of Commissioners, May 24th, 1922.
City of Asheville.

Gentlemen:

I beg to advise that in accordance with your instructions I have conferred with the [illegible] property owners [illegible] effort to reach an agreement with reference to the proposed condemnation of land for the purpose of widening Valley Street on the West side along Mr. A.H.Carrier's property, [illegible] unable to reach any satisfactory agreement whatsoever.

Respectfully submitted,
T. L. Dockery
Special Agent.

[illegible]

On motion the action of the Board in passing an ordinance establishing a building line on the East side of Pearl Street, on the first reading yesterday, was rescinded, and it was ordered that Mr. J. W. Gentry be granted permission to erect a small storage [illegible] on the said street in accordance with the lines suggested to him by the Building Inspector.

The motion was taken on the report of the Mayor and Commissioner of Public Safety that to force Mr. Gentry to go back on a line with the other buildings would be equivalent to confiscating his property due to the heavy fill it would be necessary for him to make.

[illegible]

On motion the Commissioner of Public Works was authorized and instructed to construct a pipe line storm sewer through the property of Mr. Taylor, said property being located on Merrimon Avenue, with the understanding that the City is to furnish all material and do the work, Mr. Taylor however to pay the labor cost, it being agreed by and between the City and Mr. Taylor that the said cost is to be paid as follows: One third on or before the 15th of June, one third on or before the 15th of July and the remainder on or before the 15th of August, 1922.

[illegible]

An invitation to the Commissioners to attend the banquet to be given by the Asheville Automobile Association, Friday evening at 7:30 o'clock P. M. at the Battery Park Hotel, was on motion accepted with thanks.

[illegible]

The City Engineer's report showing that the petition requesting the paving of Linden Avenue between Annandale Avenue and Henrietta Street was sufficient both as to property owners and front footage was read to the Board and on motion ordered filed.

"To F. L. Conder, Asheville, May 18th, 1922.
Secretary-Treasurer
City of Asheville.

Dear Sir:-

Regarding the petition signed by property owners on Linden Avenue requesting that said street be paved from Annandale Avenue to Henrietta Street, I find that the said petition is signed by a majority in number of the owners, who represent a majority of all the lineal feet of frontage of the lands (owners of individual interests in one piece of property have been treated as one person) abutting upon the street or part of street proposed to be improved.

The following table shows the frontage of property on the street proposed to be improved, the number of property owners and the total frontage with the frontage petitioned for.

Lot No.	Property Owner	Frontage Feet and Inches	Petitioned for Feet and Inches.
33	Jos. R. Brandt Leggett	60.	60.00
34	" " "		
35	R. H. Lockett "	34	34.00
36	Mary E. Hunt "	60.38	60.38
37	Jos. R. Brandt	60.38	60.38
38	" " "	60.38	60.38
39	Mrs. J. M. Benton	60.38	60.38
40	" " "	60.38	
41	C. H. Gessler	60.38	
42	Jos. R. Brandt	60.38	
43	J. M. Roberts & Hortense Patterson	60.38	60.38
44	" " " "	47.4	
117	J. C. McCurry	40	
118	" " "	60.	60.00
119		60.	60.00
120	Mabel F. Carpenter	60.	
121	J. E.Carpenter	60.	60.00
122	[illegible] L. Simpson	60.	60.00
123	J. E. Penland	60.	60.00
124	Jos. R. Brandt	60.	60.00
125	" " "	60.	60.00
126	" " "	60.	60.00
127	" " "	60.	60.00
128	S. L. Roberts	60.	60.00
129½	Andrew Reid	100.	100.00
130	Z. S. Dillbrook	66.	66.00
134½	E. S. Whaley	56.75	56.75
135	R. Hoffman	89.68	
136	R. H.Hood	50.	50.00
137	D. C. Waddell Jr. or Ralph Lee	50.	50.00
137½	John Renfroe	75.	75.00
138	B. R. Wright	51.25	
139	Howard A Wright	51.25	51.25
140	Chas F.Henderson	51.25	51.25
141	" " "	72	72.00
142	" " "	72	72.00
143	Emily N. Streeter	80.	80.00
144	" " "	80.	80.00
110 C	Ed. W. Wright)R.V.Morrow Agt	80.	80.00
110 B	F. H. Shipes	114.2	114.20
132½	" " "	46.93	46.93
	" " "	129.03	129.03
		47.00	

Total Frontage 2625.78
Frontage petitioned for 2170.31
Total property owners 25
Property owners signing petition 19

Signed B. M. Lee,
City Engineer.

showing his investigation of the petition
opened to a uniform width of twenty feet was presented to the
taken under advisement, the Board agreeing to go over the ground and in-
vestigate.

Asheville N.C.May 13th,1922.

"Mr. R.M.Lee, City Engineer and Commissioner.
City.

Dear Sirs:-

The petition to have Lincoln Avenue opened to a uniform width of
was referred to me to make a report of same. The petition
has the majority of the property owners and a majority of the property
[illegible] shown on the attached report to F. L. Conder-Sec.
Board. This report shows the widening necessary to make this street
conform with ends made on the part originally laid out 20 feet wide.
The cost will approximately be as follows:

[illegible] feet at 35 cents	$140.00
[illegible] feet at 50 cents	400.00
37½ yards at $2.00	660.00
	$ 1200.00

R. M. Lee, City Engineer.

A petition requesting the installation of a street light on Avery St.
was presented to the Board and on motion referred to the Commissioner of Public Works
for investigation and report.

Asheville, N.C.April 26,1922

To the Honorable City Commissioners

We, the undersigned, earnestly request that there be installed an
electric light on Avery Street somewhere between Lyman Crossing and Smiths Bridge, in
fact where it would be the best installed as there is no light on this street.

Asheville P. & C.
B. [illegible] Woodhouse, Mgr.
W. R. Sloop
Asheville Cotton Mills
G. [illegible] Manufacturing Co.
H. [illegible]

J. F. Hill
D. S. Miller
E. A. Hess
J. K. Bird
Storage Supply Co.
J. H. Reed "

On application of one S. T. Marly for permission to exhibit the
skeleton of a [illegible] ape, same, on motion, respectfully refused.

An ordinance providing for the installation of sanitary
toilets in the city of Asheville, was presented to the Board and on motion passed on its
second reading.

On motion, the rules were suspended, this Ordinance placed on its
third and final passage, passed, and being for the immediate preservation of the peace
and safety of the citizens of said city, was declared an emergency Ordinance to take effect immediately
upon its publication in said city published in said city.

AN ORDINANCE PROVIDING FOR THE
INSTALLATION OF SANITARY TOILETS IN THE CITY
OF ASHEVILLE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE

Section 1. That that certain Ordinance entitled "An Ordinance Providing for the Installation of Sanitary Toilets and the Connection of same with the Sanitary Sewerage System of the City of Asheville" duly passed and ordained on the [illegible] of May, 1921, be and is hereby amended by inserting after the last word, namely "City" in Section 1 thereof, the following:

"And shall maintain sufficient connection with the water system of said City, [illegible] connection must be direct to the toilet and a part of [illegible] same in good repair and condition so that water [illegible] such connection at all times for flushing the toilets [illegible] carrying away all deposits and said toilet must be immediately flushed after each and every use thereof sufficient to keep [illegible] absolutely clean, sanitary and healthy condition at all times."

Section 2. That all ordinance or clauses of Ordinances in conflict herewith be and the same are hereby repealed.

Section 3. That this Ordinance being for the immediate preservation of the public peace and safety of the citizens of said city is hereby declared an emergency Ordinance to take effect immediately after its first publication in a newspaper published in said city.

I move the adoption of the foregoing Ordinance this the 23rd day of May, A. D. 1922

Approved as to Form
George Pennell.

R. J. Sherrill
Commissioner.

On motion the following building permits were granted:

[illegible] H. Friedman	Garage	Elizabeth & Haskin Ave	Estimated Cost	200.00
[illegible] Grindstaff	Repairs	83 St Dunstans Road	" "	800.00
[illegible] Renfroe	2 room addition	61 Block Street	" "	500.00
[illegible] Renfroe	4 room House	East Street	" "	2500.00
[illegible] Renfroe	5 room House	7 Fulton Street	" "	3500.00
[illegible] L. Renfroe	Porch	Oak Park Road	" "	100.00
[illegible] G. Schaul	1 room addition	103 Valley Street	" "	30.00
[illegible] Young				

On motion adjourned.

Secretary-Treasurer.

Thursday, May 25th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding.

The minutes of the previous meeting were read and approved.

A petition of Hon. Angus that Short Street be paved between Valley Street and South Spruce Street, at the time Valley Street is resurfaced, was, on motion, taken under advisement.

Attorney Zeb V. Curtis representing the Piedmont Investment Co. Charlotte, appeared before the Board and explained that his client's property [illegible] Charlotte Street near the intersection of Blair Street was situated too low to connect to the City's sewer. That in 1909 an easement was granted for a right of way across the property in the rear of his clients' property by the then owners of said property, to drain the property fronting on Charlotte Street might connect with the sewer in Blair Street; however, Mrs. Bell, the present owner of said property through [illegible] agreement was now trying to [illegible] disconnected the sewer connecting his clients' house and he asked that the City Engineer be requested to immediately investigate and determine whether or not his clients could connect with the sewer on Charlotte Street, if not, that the Board immediately start proceedings to condemn a right of way so that connection might be secured to the sewer on Clyde Street.

On motion, the Commissioner of Public Works was authorized and instructed to have the City Engineer make an investigation as suggested by Mr. Curtis, and report to the Board.

On motion of the Commissioner of Public Works it was ordered that the opening of bids for the paving of Biltmore Avenue and Haywood Avenue be postponed until the regular meeting of the Board tomorrow at 11 o'clock.

It appearing to the Board that the bid of Miss Rosa Blankenship, [illegible] Market Street, in the sum of $401.00 (Four hundred and one dollars) for the concession privilege at Aston Park during the season of 1922 was the best and highest bid submitted, on motion, duly seconded and unanimously adopted it was ordered that the privilege as outlined above be awarded to her on her bid as stated above, with the understanding however, that she is not to take possession until the full amount of bid is paid into the Treasurer of the City.

It being reported to the Board by the Commissioner of Public Works and the Mayor that the Metropolitan Life Insurance Company had increased its fees for public health nursing and that the Colored Parent Teachers Association and Mr. Fred Seely had each agreed to donate $25.00 per month on the salary of a colored nurse, it was ordered, on motion, that a colored nurse be employed with the understanding that the City would appropriate the remainder necessary to make up her salary.

[illegible] J. L. Henderson [illegible]

The Commissioner of Public Safety reported the resignation of J.L.Henderson Patrolman, in the City of Asheville and recommended the appointment of one Ben Hawkins to fill the vacancy caused by the resignation of Patrolman Henderson.

On motion, the recommendation of the Commissioner of Public Safety was adopted and it was ordered that Mr. Hawkins be appointed Patrolman of the city of Asheville.

permits were granted.

T.	47 Arlington St	Estimated Cost	100.00
[illegible]	Forest Hill	" "	4500.00
[illegible]	[illegible] drive	" "	3000.00
[illegible]	Orlando Terrace	" "	2500.00

[illegible], adjourned.

Secretary-Treasurer.

Friday, May 26, 1922-- 11 o'clock, A. M.

[illegible] regular session, Mayor Roberts [illegible] read and approved.

[illegible] the City's advertisement, that bids were [illegible] Southside Avenue, the Clerk was, [illegible], whereupon the following bids were [illegible]:

Blythe Bros. Company, Charlotte, N. C.

For 31,000 square yards, more or less, sheet asphalt, [illegible] 6 inch [illegible] concrete foundation and [illegible]:

6 " [illegible] per square yard $3.61

7 " [illegible] per square yard 3.77

Asheville Paving Company, Asheville, N. C.

For 35,000 square yards, more or less, sheet asphalt [illegible] concrete foundation and [illegible]:

6 " Base, per square yard $3.48

7 " Base per square yard 3.73

[illegible] Board that the bid submitted by the Asheville Paving Company, Asheville, N. C., [illegible], was the best and lowest bid submitted, on motion of the Commissioner [illegible], duly seconded and unanimously adopted, it was [illegible] to said concern.

The City Engineer's report showing the total and pro rata cost to property [illegible] 10" pipe sanitary sewer in Horney Heights, having [illegible] law, [illegible] were, on motion, declared complete and [illegible] over to the Tax Collector for collection.

Built Dec. 10, 1921
Reported Apr. 25, 1922

[illegible] Street
[illegible] Dec. 10, 1921
[illegible] Front feet

	$3,320.00
	85.00
	75.00
	3,480.00
[illegible] 8" sewer	2,616.00
	$ 864.00

Assessed Property Owners

Lot No	Name	Feet	Price	Amt.
1	Horney Bros.			
2	E. G. Currier	180	.48	$ 86.40
3	E. T. Schatz	430	.48	206.40
4	H. C. Brown	250	.48	120.00
5	Bob Williams	390	.48	187.20
6	A. H. Currier	310	.48	148.80
7	Ralph Currier	290	.48	139.20
8	John Pate	250	.48	120.00
9	H. M. Weir	360	.48	172.80
10	H. M. Weir	1430	.48	686.40
11	A. P. & L. Co.	600	.48	288.00
		960	.48	460.80
				$ 2,616.00

One John Malnor, having filed bond, court report, lawyer's certificate and recommendation, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that [illegible] be granted the license requested.

[illegible]

The report of the City Engineer showing the result of his investigation as to the feasibility of connecting the residence occupied by the Misses [illegible] on Charlotte Street with the sewer in said street was received in the usual manner, on motion, ordered filed.

(Copy of report)

May 26th, 1922

To the Hon. Mayor & Commissioners:

Gentlemen: As directed, I took some levels at the Misses [illegible] house on Charlotte St. to determine whether or not it is possible to make connection with the sewer in Charlotte St. I find that the floor of the piazza is 3.5 feet above the sewer in Charlotte St. The distance from the piazza to the sewer opposite the north line of the lot is about 90 feet, so they can make this connection with the fall required.

Yours respectfully,

B. M. Lee, City Eng.

The report of the City Engineer showing the result of his investigation of sewer connection for Mr. Robert Johnston's lot on [illegible] Street was received, on motion, ordered filed.

(Copy of Report)

May 26th, 1922.

The Hon. Mayor & Commissioners,

Gentlemen: In regard to a sewer connection for Mr. Robt Johnston's lot fronting on Spruce St. I find there is a [illegible] sewer that can be [illegible] Spruce St. sewer [illegible] the alley at the back of his lot.

Yours truly,

B. M. Lee, City Eng.

WEEKLY [illegible]

Reports from the Street, [illegible] Superintendents, Health and Incinerator [illegible], The Public Market Managing Association, Building Inspector, Plumbing Inspector, City Plumber, Garden of Heights & Montrose and Log Cabin were received and, on motion, ordered filed.

[illegible]

On motion, the following building permits were granted:

R. C. Buehner 5-room House Waynesville [illegible] Estimated cost $ 2,000.00

[illegible], adjourned.

Secretary-Treasurer.

, May 17, 1922-- 11 o'clock, A. M.

r session, Mayor Roberts
o'clock approved.

A petition for a street light on South Alley
the Board and, on motion, it was
side of the Florence Hotel.

ville, N. C. May 17, 1922.

r,

Depot section do request of
of the Florence Hotel on Death
People that live in that

	U. T. Hall
	W. B. Garrett
	J. P. Boatright
	Paul Boatright
	Railway Employees
	W. A. King
	Thomas Carr
	L. F. Brookshire
	Railway Employees

Commissioners, it was represented that the property of one Geo. Haynes be exempted
for .00, the said property for the construction of a sanitary
sewer.

It was then shown to the Board that the said property had been
sewer for which this exemption is
allowed.

D. S. Smith, C. E. Lee and Wm. H. Dixon, having filed recommendations,
as required under the ordinance
buildings in the city, on motion, the
was ordered that each of them

permit was granted

House 17. N. Spruce Street. Estimated cost $350.00

Secretary-Treasurer.

Monday, May 29th, 1922. 11 o'clock A. M.

The Board met in regular session Mayor Roberts presiding
and approved.

A petition from the property owners on Biltmore Avenue, appeared
before the Board relative to how the cost of the paving of this street
should be assessed.

After discussion, it was decided to inform that it was the intention of the Board
to assess one sixth (1/6) on each side against property bordering
on the Railway Company to be assessed as provided by law,
and the City to be used in repairing other streets.

Mr. B. M. Lee, Attorney,

the Board, the City at the end of the
$150.00 per mile, subject to discontinue this
period of ten years.

x

be remitted.

On motion, it was ordered that

A petition requesting

To the Mayor and Commissioners,
Asheville, N. C.

It was then moved by
matter be laid over, was not approved.

E. L. Rogers	W. B. Murphy	T. F. Young	C. A. [illegible]
Jno. Roberts	S. C. Rankin	L. B. [illegible]	C. A. [illegible]
S. P. Cass	T. B. [illegible]	M. F. Davis	C. A. [illegible]
M. L. Whitson	Will R. [illegible]	[illegible]	C. A. [illegible]
Jas. Sandlin	Chas. B. [illegible]	H. F. Grant	L. A. [illegible]
L. J. Pless	J. A. [illegible]	[illegible]	L. A. [illegible]
H. C. [illegible]	M. C. Allen	J. V. [illegible]	C. T. [illegible]
W. M. Edwards	S. T. Hall	G. M. [illegible]	C. A. [illegible]
C. F. [illegible]	C. J. [illegible]	Mollie [illegible]	[illegible]
Jas. T. [illegible]	J. C. [illegible]	John [illegible]	[illegible]
Ottie [illegible]	[illegible]	[illegible]	[illegible]
J. F. Jones	W. H. Jacobs	I. [illegible]	C. A. Jones
Richard Lee [illegible]			

On motion, the following building permits were granted:

C. H. Brown	Sleeping porch	[illegible]	[illegible]	[illegible]	[illegible]
Bob Davidson	Garage	17 Locust Street	"	"	[illegible]
F. M. Redman	2 room house	Woodrow Avenue	"	"	[illegible]
Dock Riddle	4 rooms	West Asheville	"	"	1200.00
F. O. Wilkie	8 room house	Belle View Drive	"	"	[illegible]

On motion, adjourned.

Secretary-Treasurer.

Wednesday, May 31st, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

GULF REFINING COMPANY- MARKET STREET OPENING

Mr. Cooper representing the Gulf Refining Company appeared before the Board and explained that his Company was on the eve of purchasing a strip of land at the intersection of Market and Walnut Streets but before completing the purchase were anxious to know whether or not Market Street would be opened by the City in the near future.

Mr. Cooper was informed that there was very little question of the street being opened this summer and he was advised to go ahead and complete the transaction.

One Scott Dillingham representing a local bondsman appeared before the Board and asked for a ruling as to when bonds furnished by the Public Service Chauffeurs in the City were supposed to expire.

Mr. Dillingham was informed that it was the impression of the Board that the bonds in question were continuous bonds and would run until the bondsman withdrew the surety and the chauffeur's license cards were turned in.

Attorney J. Y. Jordan, Jr. representing Mr. Charles E. Lyman, was again before the Board with reference to the city taking over the traffic signal located on the Northeast corner of Pack Square, however, no action was taken, Mr. Jordan being informed that the Board had not yet had an opportunity to consider the matter.

On motion, the Purchasing Agent was authorized and instructed to advertise for bids for rebuilding and repairing the city's present reservoir, said bids returnable, June 20th, 1922.

The proposition of the Asheville Paving Company to sell the City a steam roller was read to the Board and, on motion, referred to the Commissioner of Public Works for investigation and report.

"Asheville, N. C.
May 31st, 1922.

Mr. R. J. Sherrill
Commissioner of Public Works,
Asheville, N. C.
Dear Sir:-

We have an Eight Ton Kelly-Springfield Tandem Steam Roller, now at work on Valley Street, which we are replacing with a new machine, and it occurred to us that this machine will be a valuable asset to the City in your repair work. If you are interested in this machine, we will deliver it to you immediately after our new machine is received for the sum of $1,200.00 which is at least 50% lower than we believe you can purchase any other second hand machine in serviceable condition today.

Yours Very Truly,
ASHEVILLE PAVING COMPANY "
By.

J.K.C.-c

An Ordinance levying and assessing general and special taxes for the year of 1922, was presented to the Board, and , on motion, passed on its first reading.

On motion, the following building permits were granted:

Gulf Refining Company	Filling Station	Ann & Patton Ave.	Estimated Cost	4500.00
" " "	" "	Market & Walnut	" "	4500.00
David N. Indorf	Sleeping Porch	17 Orchard Street	" "	50.00
S. E. Israel	5 room bungalow	19 Jefferson Drive	" "	2000.00
J. Y. Jordan	Recover porch	30 Bearden Ave	" "	30.00
S. E. Morrison	1 room addition and porch	187 Waynesville Ave	" "	75.00
Tom Smith	Garage	156 Chestnut Street	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, June 1, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The City Engineer's report showing the total and pro-rata cost to property owners on account of the construction of a 6" Pipe Sanitary Sewer on Montana Avenue was presented to the Board and, on motion, ordered advertised according to law.

The City Engineer's report showing the estimated cost of opening and improving West Chestnut Street from Broadway to Flint Street was read to the Board and, on motion, ordered filed.

May 27th, 1922

The Hon. Mayor & Commissioners,

Gentlemen: I hereby report on the petition for opening and improving W. Chestnut St. from Broadway to Flint St. There are 26 names on this petition representing about 1/3 of the property owners within the boundary represented by these 26. The estimated cost of the improvement petitioned for, if a concrete viaduct is built is as follows:

Earth excavation	400 cu. yds.	@ .30	$ 120.00
Rock "	336 " "	2.00	672.00
4" Curb furnished & set	920 ft	.50	460.00
Paving 2200 yds		2.50	5500.00
Concrete Viaduct 350 ft. long & 40 ft. wide			24371.00
			$31123.00

Making a fill with 10% grades, Improvement will cost as follows: Est.

Earth excavation w	400 cu. yds	@ .30	120.00
Rock "	336 " "	2.00	672.00
4" Curb furnished & set	1640 ft	.50	820.00
Embankment (borrow)	9760 c. yds	.30	2928.00
Culvert	100 ft long		1200.00
Retaining walls	100 cu. yds	10.00	1000.00
Paving	2200 yds	2.75	6050.00
	Total		12790.00

B. M. Lee, City Eng.

On the recommendation of the Commissioner of Public Works, it was ordered, on motion, that Mr. T. A. Coxe, Jr. be employed as Assistant to the City Engineer, beginning June 1, 1922.

C. E. NOWELL

On the recommendation of the Commissioner of Public Safety it was ordered, on motion, that Policeman C. E. Nowell be granted a vacation of six months at one-half pay.

This action taken on account of the physicial condition of Mr. Nowell.

On motion, the Purchasing Agent was authorized and instructed to have the floor repaired in the West Asheville bandstand and lights placed in both the West Asheville and Homey Heights bandstands.

J. C. WATKINS

The complaint of one J. C. Watkins that the sewer now under construction in Villa Heights would pass through his garden was presented to the Board and, on motion, it was ordered that this matter be referred to the Commissioner of Public Works and the City Engineer for investigation and report.

FIRE DEPARTMENT

A report showing the activities in the Fire Department for the month of May was read to the Board and, on motion, ordered filed.

On motion, the following building permits were granted:

L. R. Williams	6 room House	Magnolia & Broad	Estimated cost	"	$1,800.00
T. C. Smith Est.	Shed	Market Street	"	"	60.00
Perry L. Mitchell	1 room	140 Virginia Ave.	"	"	30.00
J. T. Pritchard	Porch	Maple Crescent	"	"	50.00
Mrs. Belva Saunder	5 room House	24 Houston St.	"	"	3,500.00

On motion, adjourned

Secretary-Treasurer.

Friday, June 2nd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. R. R. Williams appeared before the Board and complained of the assessment against his wife's property on account of the construction of the Horney Heights sewer, for the following reasons!

First: The sewer does not touch the property in question and no provision has been made for a right of way for the property to connect with the said sewer.

Second: City Engineer is unable to assure him that the sewer is deep enough in front of the property in question to accommodate the said property.

Third: That the property in question is charged more than its proportionate part of the cost inasmuch as the total cost according to the City Engineer's report is $1.80 per foot, whereas $1.34 per foot has been charged against the property owned by Mrs. Williams and the property on the opposite side of the sewer.

This matter on motion, referred to the Commissioner of Public Works for investigation and report.

On motion, the Mayor was appointed a committee of one to confer with the Board of Commissioners of Buncombe County with reference to transportation to Richmond of the Old Confederate Veterans as well as the furnishing of suits for the members not owning them.

Mrs. L. E. Fisher representing the Asheville Chapter of the United Daughters of the Confederacy, extended an invitation to the Commissioners to take the trip through Biltmore Forest and the Vanderbilt Estate with the Confederate Veterans, tomorrow afternoon at 2 o'clock. This invitation accepted with thanks.

The request of a warden of the North Fork water shed that the City furnish beaver-board for two rooms and lumber to extend the porch of the house occupied by him, was on motion referred to the Commissioner of Public Works.

Whereas, under date of April 8th, A. D. 1922 a petition signed by the majority of property owners, owning property fronting on Buffalo Street in the City of Asheville was filed with this Board, the petition requesting that the name of said street, beginning at the intersection of Haywood Road and running to the forks of the road near the schoolhouse, be changed to Burton Avenue in honor of the founder of the City of Asheville

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Asheville, in regular session assembled, that the name of Buffalo Street, from its intersection with Haywood Road to the forks of the road near the colored school house be changed to Burton Avenue.

BE IT FURTHER RESOLVED that the name of this street between the points designated above be changed to Burton Avenue on all of the maps and other records of the city.

I move the adoption of the foregoing resolution, this the 2nd day of June A. D. 1922.

Gallatin Roberts
Mayor Commissioner of Public Accounts
and Finance.

The foregoing resolution being duly seconded was unanimously adopted

Weekly reports from the Health, Public Nursing Association, Street, Street Cleaning, Inspection Departments, and from the Department of Public Safety, were read to the Board and on motion ordered filed.

On motion the following building permit was granted:

A. B. Potts	5 room house	Logan Avenue-	Estimated Cost	$3,500.00

On motion, adjourned.

Secretary-Treasurer.

Monday, June 5, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Ford, representing Mrs. Clara Featherstone, appeared before the Board and stated that Mrs. Featherstone's daughter was at present seriously ill and asked that nothing be done at this time toward the moving of Mrs. Featherstone's house in connection with the opening of Market Street for this reason.

Mr. Ford was assured that Mrs. Featherstone's house would not be disturbed at present.

On motion, it was ordered that a voucher be drawn in favor of Mr. G. L. Forster for $13.00 overcharge on water and sewer connections.

On the recommendation of the Commissioners of Public Safety it was ordered, on motion, that Miss Lucy Rankin be refunded $2.00, the amount paid by her for a chauffeur's license.

On motion, the Mayor was authorized and instructed to issue a voucher in favor of L. L. Merchant for $3,738.80 part payment on the City Hall contract.

One Rubin Anderson, having filed bond, court record, doctor's certificate and recommendations as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permit was granted:

C. M. Cook	Garage	Montana Avenue	Estimated cost	$ 125.00

On motion, adjourned.

Secretary-Treasurer

Tuesday, June 6, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

One Fidelle Gentry appeared before the Board and explained that his property on South French Broad Avenue was sold last year on account of non-payment of sidewalk assessments; that prior to that time he had complained to the previous administration that the sidewalk in question was defective and asked for a rebate; that Mr. Thrash had received 40% reduction on the sidewalk against his property on account of the defective condition of the sidewalk.

Mr. Gentry stated that he only had until the 7th day of this month to redeem the property in question and asked that some immediate action be taken.

This matter, on motion, referred to the Commissioner of Public Works for investigation and report.

Mr. Moore appeared before the Board and requested that some immediate action looking to the opening of Fifth Avenue.

Mr. Moore was assured that the opening of Fifth Avenue was on the program of work for this season and would be started soon.

A complaint of an old wall on the Coston property on Richmond Avenue being in a dangerous condition was, on motion, referred to the Commissioner of Public Safety for investigation and report.

The application of one E. D. Propest for a chauffeur's license was, on motion, taken under advisement until the regular meeting tomorrow.

On motion, the following building permits were granted:

G. W. Corn	Porch	Arlington Ave.	Estimated cost		$ 50.00
Homerbuilt Company	5-room Dwelling	2 Henrietta St.	"	"	2500.00
Bruce Lindsay	6-room Dwelling	Madison Ave.	"	"	3500.00
S. O. Bedford	3-room House & Chicken House	West Asheville	"	"	600.00
L. W. Hill	6-room Dwelling	Victoria Place	"	"	4000.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, June 7th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The Commissioner of Public Works reported that he had investigated Mr. Thrash's statement that he had been exempted 40% of the assessment against his property on account of the construction of a sidewalk on South French Broad Avenue, due to the defective condition of same and had found that Mr. Thrash had been exempted only from the fact that his property was located on the corner with a sidewalk on each side, however, he had not had the opportunity of investigating Mr. Gentry's complaint that the sidewalk was defective but would do so within the next one or two days.

E. D. Propest and Eugene Murrough, having filed bonds, court records, Doctor's certificates and recommendations as required under the Ordinance regulating public service automobiles in the City of Asheville, and all papers being approved, the applications for chauffeur's License to operate public service automobiles in the City, were, on motion, approved, and it was ordered that they be granted the licenses requested.

On motion, the application of one Tom Pruitt, a disabled soldier, for a chauffeur's license "gratis" was granted and the Commissioner of Public Safety was authorised to issue the same.

The application of one Albert Brackett for a public service chauffeur's license, was on motion, held up pending the result of an investigation of the criminal record of the said Brackett by the Commissioner of Public Safety.

One N. M. Martin, appeared before the Board and requested an exemption of the tax on the colored hospital, on the ground that this was a charity hospital.

It was suggested to Martin that he take this matter up with the Board of County Commissioners.

The request of one Mr. Block that the license tax assessed junk dealers be reduced, was, on motion, taken under advisement.

On the recommendation of the Commissioner of Public Safety one C. E. Neal was appointed patrolman in the city, to fill the vacancy caused by the leave of absence granted Mr. C. E. Nowell.

The application of Mrs. E. M. Culvern for a refund of the excess water rent charged against her property, was on motion, taken under advisement.

On motion, one Mr. Bramlett was granted permission to sell KLIM, POWDERED MILK at Teague's Drug Store in the City with the understanding that he is to secure the approval of the Health department as to his method and that the special license tax is to be determined later by the Board.

On motion the following building permits were granted:

R. Fagan	Garage & Shed	Valley Street-	Estimated Cost		200.00
C. V. Holcombe	Recover house	267 Virginia Avenue	"	"	90.00
E. H. Johnson	6 room house	Electric Street	"	"	2000.00
Jos. G.Lance	1 room-fruit stand	South Asheville	"	"	50.00
C.F. Toms	4 room house	Powell Alley-Beech Hill	"	"	1400.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, June 8, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

The City Engineer's report showing the total and pro rata cost to property owners on account of the paving on Crescent Street from Broad Street to Madison Avenue, having been advertised in accordance with the law, liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection.

(Copy of Engineer's report)

Concrete Paving — May 15th, 1922
Crescent St. from Broad St. to Madison Ave.

Length ft. 789
Width 20 ft
Cost Lineal Ft. 5.925
Cost Front Ft. 1.975

1857 Yds of Paving	@ 2.33	$ 4,326.81
5.6 " " Dirt Exca	.40	2.24
15 " " Loss Rock Exca	1.25	18.75
Engineering		70.85
Inspection		120.00
.03 % Interest		136.16
		4,674.81

Due E. T. Belote $4,347.80

P. O. Part	3,034.98
City's Part Paving	1,639.83
	4,674.81

Assessed Property Owners

Lot No.	Name	Feet	Price	Amt.
7	Lonie Allston	60	1.975	118.50
7½	Maggie Bennett	60	"	118.50
8	Hugh LaBarbe	20	"	39.50
9	Minnie B. Hill	40	"	79.00
10	" " "	40	"	79.00
11	Hugh LaBarbe	40	"	79.00
12	" "	40	"	79.00
13	" "	63.9	"	126.19
14	J. T. Knott	102.5	"	202.44
15½	" " "	38	"	75 05
15	B. J. Johnson	32	"	63.20
16	J. H. Adams	70	"	138.25
17	F. L. Shuford	50	"	98.75
18	Rose M. Miller	75	"	148.13
19	E. W. Grove	73	"	144.18
62	E. J. Evans	110	"	217.25
63	Mizelle Lyerly	80	"	158.00
64	Ethel R. Fredy	50.3	"	99.34
191	E. E. Knight	64.7	"	127.72
192	J. T. Deibung	75	"	148.13
194	" " "	86.2	"	170.24
195	Gilbert L. Payne	60	"	118.50
196	M. C. & C. F. Roms	60	"	118.50
65	J. E. Pressley	146.1	"	288.55
		1,536.7		$3,034.98

An ordinance levying and assessing general and special taxes for the year beginning June 1, 1922 and ending May 31, 1923, was presented to the Board, and on motion, passed on its third and final reading and become effective in accordance with the law in such cases made and provided.

One Glen Howell, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

A map and report from the City Engineer showing the estimated cost of grading Court Place was read to the Board and, on motion, ordered filed.

(Copy of Report)

June 7th, 1922

The Hon. Mayor & Commissioners;

Gentlemen: I have taken the levels on Court Place, from the steps on the west side of the Court House to Marjory St. and established a grade of 9.6%. To open the street to this grade and 26.5 feet wide will require the following:

Earth excavation 265. cub. yds @ .35 $92.75

B. M. Lee, City Eng.

On motion, adjourned.

Secretary-Treasurer.

Friday, June 9, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, it was ordered that an arc light be installed in front of the Bartlett Street Fire Station to replace the tungsten light.

The request for a light at the corner of Merriman Avenue and Marcellus Street was, on motion, referred to the Commissioner of Public Works.

On motion, the following refunds of water rents were allowed:

H. A. Shelton	16 Nevada Ave.	Excess Paid	1.12	Rebate	.56
T. L. Beacham, Agt.	Westwood Place	" "	1.85	"	.92
R. B. Zagler	22 Patton Ave	" "	2.32	"	1.16
Mark Vance	27 Turner St.	" "	3.36	"	1.68
F. M. Woodard	17 Panola St.	" "	3.07	"	1.53
W. J. Fitzgerald	50 Panola St.	" "	1.90	"	.95
W. A. Murphy	Gudger St.	" "	4.45	"	2.22
Boyd, Chance & Bray	Battery Park Pl.	" "	8.76	"	4.38
W. R. Peterson	Eugene Ave.	" "	4.91	"	2.45
Mrs. Fred Briggs	68 Park Ave.	" "	7.36	"	3.68
M. L. Lowe	13 Buxton St.	" "	2.40	"	1.20
R. C. Erwin	41 Montford Ave.	" "	4.91	"	2.45
Mrs. Addie Cochran	100 Rankin Ave.	" "	3.45	"	1.72
Mrs. Hattie Jones	79 West Chestnut St.	" "	7.35	"	3.67
Robert Robinson	46 Short St.	" "	4.65	"	2.32
Della Patterson	38 Velvet St.	" "	4.05	"	2.02
Robert Wilson	23 Central Ave.	" "	3.26	"	1.63
C. H. White	88 S. Fr. Broad	" "	1.95	"	.97
Mrs. G. H. Ryan	Kenilworth Park	" "	4.20	"	2.10
James Stewart	53 Southside Ave.	" "	4.30	"	2.15
Mrs. Joe Carter	McCullum Place	" "	3.82	"	1.91
E. M. Orr	200 College St.	" "	7.37	"	3.68
Rev. J. B. Thrall	329 Merrimon Ave.	" "	3.45	"	1.72
L. T. Townsend	157 Logan Park	" "	2.20	"	1.10

Reports from the Street, Street Cleaning, Health & Incinerator Departments, Public Health Nursing, City Plumber, Building Inspector, Plumbing Inspector, Sealer of Weights and Measures and Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

Ralph B. Arbogast	6 room Residence	Pisgah Ave.	Estimated cost	$ 7,500.00
Adie Danis	Sleeping Porch	3 Clemmons St.	" "	100.00

On motion, adjourned

Secretary-Treasurer.

Saturday, June 10, 1922.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, it was ordered that a permit be granted Mrs. Sallie Parker to conduct refreshment services on the streets for one day, under the direction and supervision of the Chief of Police.

Mr. J. H. Frady, a plumbing contractor, appeared before the Board and complained that the Plumbing Inspector had refused to accept his plumbing in the McLean Building, and asked that a committee be appointed to decide whether the work is in accordance with the Plumbing ordinance.

This matter, on motion, referred to the Commissioner of Public Safety.

On motion, the request for a light on Brownwood Avenue was referred to the Commissioner of Public Works.

A request of Mrs. J. C. Stikeleather that the Board contribute $50.00 toward the upkeep and repairs of the tennis court at the Y. W. C. A. in view of the fact that this court was used extensively by the girls of the High School, was presented to the Board.

After some discussion, it was ordered, on motion, that Mrs. Stikeleather be instructed to have the work done and the city would reimburse the amount above mentioned.

The applications of F. S. Mull and David Z. Wilson for chauffeur's licenses to operate public service automobiles in the city were, on motion, taken under advisement until the regular meeting of the Board on Monday, pending investigation.

On motion, the following building permits were granted:

Joe Bailey	1 room Dwelling	35 Herman Ave.	Estimated cost	$ 500.00
C. R. Kell	7 room "	Riverview Drive	" "	150.00
P. H. Taylor	7 room "	Orchard Street	" "	4,000.00

On motion, adjourned.

Secretary-Treasurer,

Monday, June 12, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The City Engineer's report showing the total and pro rata cost to property owners on account of the construction of a six inch pipe sewer on Hudson Street from State Street sewer main to the East was presented to the Board and, on motion, ordered advertised according to law.

Lon Mann and Arthur Moore, having filed recommendations, doctor's certificates court records and bonds as required under the ordinance regulating the conduct of public service chauffeurs in the city, on motion, the applications were approved and it was ordered that they be granted the licenses requested.

On motion, the following building permits were granted:

Albert Jazzi	1 room addition	454 Pearson Drive	Estimated cost	$ 300.00
Thos. F. Orr	6 room Dwelling	40 Woodfin St.	" "	3,500.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, June 13, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

MILK

On motion, the Corporation Counsel was requested to advise the Board whether the milk product "KLIM-POWDERED MILK" comes within the provision of the milk ordinance.

The report of the Commissioner of Public Safety showing the result of his investigation of the plumbing in the McLean Building installed by J. H. Frady, which the Plumbing Inspector refused to accept, was read to the Board and, on motion, ordered filed.

(Copy of Report)

Hon. Mayor & Commissioners,
City of Asheville,

Gentlemen:

According to instructions I investigated the job of plumbing of Mr. J. H. Frady. I took three master plumbers and they reported after inspecting the job that Mr. E. L. Singer, Inspector, was absolutely right in his decision.

Respectfully submitted,

R. L. Fitzpatrick,

Commissioner of Public Safety.

Mr. C. H. Bartlett appeared before the Board and asked that the City donate one-half toward the travelling expenses of one Jerry Roberts, a disabled ex-soldier, to a sanitarium in Washington, provided the County would donate the other half.

On motion, it was ordered that the City donate $25.00 provided the County would donate a like amount.

On motion, the Mayor was authorized to issue a voucher in favor of the Hammond Heating Company for $800.00 for fan and material delivered to the Catholic Hill School site, in accordance with the Architect's certificate.

On motion, the following building permits were granted:

Wm. H. Blankenship	5 room Dwelling	Coleman Ave.	Estimated cost	$3,000.00
Max Pagan	Fruit Stand	Valley & Eagle St.	" "	15.00
Chas. H. Hughes	Garage	Murdock Ave.	" "	350.00
J. B. Seigler	7 room Dwelling	Beverly Road	" "	5,000.00
S. Sternberg	Tent	Haywood & Cumberland Ave.		

The permit to S. Sternberg was granted conditionally; that the tent be absolutely sanitary at all times.

On motion, adjourned.

Secretary-Treasurer.

Wednesday, June 14, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

One F. S. Mull, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city, was, on motion, approved and it was ordered that he be granted the license requested.

Judge W. P. Brown requested that a report be made on the claim on Bradley and Pickens for alleged damage to property on Broadway by surface water.

This matter was, on motion, referred to the Corporation Counsel with instructions to report at an early date.

The request of one J. W. Burlison that the State Street water line be extended to accommodate his residence was, on motion, referred to the Commissioner of Public Works.

The City Engineer reported his estimate for the construction of a storm sewer under Haywood Road near Sulphur Springs about $130.00. This report was accepted and it was ordered that the storm sewer be installed.

On motion, the following building permits were granted:

Cora Conley	5 room Dwelling	Biltmore Ave.	Estimated cost	$	2,300.00
E. W. Grove	1 room addition	43 North Liberty	"	"	400.00
Annie L. Logan	5 room Dwelling	Brownwood Ave.	"	"	2,000.00
Grace Logan	6 room Dwelling	Brownwood Ave.	"	"	2,000.00
F. B. Otis	7 room Dwelling	Macon Ave	"	"	8,000.00
Jesse Steel	5 room Dwelling	Lovingston St.	"	"	2,200.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, June 15, 1922. -- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Messrs Herbert L. Miles, A. Nichols and J. A. Woodcock, a committee representing the civic organizations interested in a new hotel for Asheville, appeared before the Board and asked that the City give the 25 foot alley now extending on the south of the Auditorium in exchange for a right of way for a new street through to Parland Street.

On motion, this matter was taken under advisement, the Board in company with the City Engineer agreeing to go over the ground and investigate conditions in person.

A petition requesting water line on Bear Creek Road was presented and, on motion, ordered filed.

On motion, it was ordered that the water line requested be installed, the petitioners agreeing to do all ditching and laying of pipe from the Haywood Road the City to furnish two inch pipe.

(Copy of petition)

June 15, 1922

We, the undersigned, do hereby agree to do all ditching and laying of pipe from the Haywood Road for a distance of approximately twenty-four hundred feet, with the understanding that the city will furnish two inch pipe for that purpose.

Newton M. Anderson
Robert Moore.

On motion, it was ordered that the water main on State Street be extended to the James Johnson property.

MERRIMON AVENUE SCHOOL

The report of the Building Inspector showing the result of his investigation of the plans and specifications of the Merrimon Avenue School was read and, on motion, ordered adopted.

(Copy of Report)

June 14, 1922

The Hon. Mayor and Board of Commissioners, Asheville, N. C.

Gentlemen:

I have examined the plans and specifications of the Merrimon Ave. School. I find that the plans call for the walls of the auditorium to be thirteen inches thick, these must be not less than seventeen inches thick, all of the footings must be not less than eight inches wider than the plans now show. The supports under the stair landings must be made stronger.

Respectfully submitted,

F. F. Howell, Building Inspector.

FFH/J

On motion, a 100 watt Tungsten Light was ordered installed on Louisiana Ave.

The report of the jury relative to the condemnation of certain lans necessary for construction of a sanitary sewer line in the vicinity of Virignia Avenue through property of Lawrence E. Parker and other was read to the Board and, on motion duly adopted, unanimously adopted.

To the Honorable Mayor and Board of Commissioners of the City of Asheville, North Carolina:

We, the undersigned jurors, having been duly summoned and sworn to assess damages to the lands of Jo

John T. Redmond,	Roy E. Henry	C. B. Hawkins
E. R. Bean	Dr. J. M. Crawford	W. A. Holcombe
Lawrence E. Parker	D. F. Mitchell	Wm. C. Mears
Earnest Hayes	Robt. L. Spivey	Wm. S. Hutchinson
J. D. Pouland	D. F. Bishop	T. H. Miller

owners of land situated, lying and being in the City of Asheville, a portion of which premises is required by the Board of Commissioners of said City, for the purpose of constructing a sanitary sewer in the vicinity of Virginia Avenue through the property of Lawrence E. Parker and others, and so to assess the benefits to the lands aforesaid, in pursuance to the condemnation of lands for said purpose, made by the Board of Commissioners of said City of Asheville, at their meeting held on the 17th day of May 1922 and in pursuance of the writ thereupon issued by the Mayor of said City, dated May 18th, 1922, directing a policeman of said City to summon a jury for said purpose.

We, the said jury, having been duly summoned and sworn, respectfully report as follows:

That the lands of Lawrence E. Parker is damaged NO Dollars.

That the lands of Lawrence E. Parker is benefited NO Dollars.

We recommedn free sewer connection and no assessment for sewerage.

Respectfully submitted

J. Hardy Lee
Claud Gentry
M. M. Sullivan
Chas. M. Williams
J. C. Cauble
S. O. Bradley

On motion, the following building permits were granted:

Joe Dodd	Repairs	Short Bailey	Estimated cost	$ 200.00
Jos. Hill	Porch& Recover House	38 Crescent St.		75.00
Maud C. Reger	Garage	194 Charlotte St.		250.00
S. Sternberg	8 room Dwelling	Victoria Drive		8,500.00

On motion, adjourned.

Secretary-Treasurer.

Friday, June 16, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

Attorney Burgin Pennell, representing one David Wilson whose application for a chauffeur's license had been held in abeyance pending investigation, appeared before the Board and asked that his client be granted the license requested.

One David Wilson, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

OVERHEAD BRIDGE ON WEST END--DANGEROU

The complaint of a dangerous place at the end of the overhead bridge to West Asheville was, on motion, referred to the Commissioner of Public Safety.

The request of one J. W. Burlison that the State Street water line be extended to serve his residence was, on motion, referred to the Commissioner of Public Works.

The City Engineer reported his estimate for the construction of a 24" storm sewer [illegible] near Sulphur Springs about $130.00. This report was accepted and it was ordered that the storm sewer be installed.

On motion, the following building permits were granted:

Cora Conley	5 room Dwelling	Biltmore Ave.	Estimated cost	$	2,300.00
E. W. Grove	1 room addition	43 North Liberty	"	"	400.00
Annie L. L[illegible]	5 room Dwelling	Brownwood Ave.	"	"	2,000.00
Grace Lea[illegible]	6 room Dwelling	Brownwood Ave.	"	"	2,000.00
F. M. Oates	7 room Dwelling	Macon Ave	"	"	8,000.00
Jesse Steel	5 room Dwelling	Lovingston St.	"	"	2,200.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, June 15, 1922. -- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Messrs Herbert D. Miles, A. Nichols and J. A. Woodcock, a committee representing the civic organizations interested in a new hotel for Asheville, appeared before the Board and asked that the City give the 25 foot alley now extending on the south of the Auditorium in exchange for a right of way for a new street through to Parland Street.

On motion, this matter was taken under advisement, the Board in company with the City Engineer agreeing to go over the ground and investigate conditions in person.

A petition requesting water line on Bear Creek Road was presented and, on motion, ordered filed.

On motion, it was ordered that the water line requested be installed, the petitioners agreeing to do all ditching and laying of pipe from the Haywood Road the City to furnish two inch pipe.

(Copy of petition)

June 15, 1922

We, the undersigned, do hereby agree to do all ditching and laying of pipe from the Haywood Road for a distance of approximately twenty-four hundred feet, with the understanding that the city will furnish two inch pipe for that purpose.

Newton M. Anderson
Robert Moore.

On motion, it was ordered that the water main on State Street be extended to the James [illegible] property.

MYERS

The report of the Building Inspector showing the result of his investigation of the plans and specifications of the Merrimon Avenue School was read and, on motion, ordered accepted.

(Copy of report)

June 14, 1922

The Hon. Mayor and Board of Commissioners, Asheville, N. C.
Gentlemen:

I have examined the plans and specifications of the Merrimon Ave. School. I find that the plans call for the walls of the auditorium to be thirteen inches thick, these must be not less than seventeen inches thick, all of the footings must be not less than eight inches wider than the plans now show. The supports under the stair landings must be made stronger.

Respectfully submitted,

F. F. Howell, Building Inspector.

FFH/J

On motion, a 100 watt Tungsten Light was ordered installed on Louisiana Ave.

The report of the jury relative to the condemnation of certain lans necessary for the construction of a sanitary sewer line in the vicinity of Virignia Avenue through the property of Lawrence E. Parker and other was read to the Board and, on motion duly seconded, unanimously adopted.

To the Honorable Mayor and Board of Commissioners
of the City of Asheville, North Carolina:

We, the undersigned jurors, having been duly summoned and sworn to assess damages to the lands of Jo

John T. Redmond,	Roy E. Henry	C. B. Hawkins
E. R. Bean	Dr. J. M. Crawford	W. A. Holcombe
Lawrence E. Parker	D. F. Mitchell	Wm. C. Mears
Earnest Hayes	Robt. L. Spivey	Wm. S. Hutchinson
J. D. Pouland	D. F. Bishop	T. H. Miller

owners of land situated, lying and being in the City of Asheville, a portion of which premises is required by the Board of Commissioners of said City, for the purpose of constructing a sanitary sewer in the vicinity of Virginia Avenue through the property of Lawrence E. Parker and others, and also to assess the benefits to the lands aforesaid, in pursuance to the condemnation of lands for said purpose, made by the Board of Commissioners of said City of Asheville, at their meeting held on the 17th day of May 1922 and in pursuance of the writ thereupon issued by the Mayor of said City, dated May 18th, 1922, directing a policeman of said City to summon a jury for said purpose.

We, the said jury, having been duly summoned and sworn, respectfully report as follows:

That the lands of Lawrence E. Parker is damaged NO Dollars.

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Respectfully submitted

J. Hardy Lee
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M. M. Sullivan
Chas. M. Williams
J. C. Cauble
S. O. Bradley

On motion, the following building permits were granted:

Joe Dodd	Repairs	Short Bailey	Estimated cost	$	200.00
Jos. Hill	Porch& Recover House	38 Crescent St.			75.00
Maud C. Reger	Garage	194 Charlotte St.			250.00
I. Sternberg	8 room Dwelling	Victoria Drive			8,500.00

On motion, adjourned.

Secretary-Treasurer.

Friday, June 16, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were read and approved.

Attorney Burgin Pennell, representing one David Wilson whose application for a chauffeur's license had been held in abeyance pending investigation, appeared before the Board and asked that his client be granted the license requested.

One David Wilson, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

[illegible]--DANGEROUS

The complaint of a dangerous place at the end of the overhead bridge to West Asheville was, on motion, referred to the Commissioner of Public Safety.

On motion, the Mayor was authorized to issue a voucher for $171.00 in favor of J. J. [illegible], Commander of Zeb. Vance Camp, to defray one-half the expenses of forty-five Confederate Veterans to Richmond and return.

The City Engineer submitted an estimate of the cost of work done and material furnished to be paid by the Howerton-Tirsway Company in laying water mains on Broadway, Merrimon Avenue and Biltmore Avenue, which was on motion, adopted and the Mayor was, on motion, authorized to issue a voucher for $6,169.69 in favor of Howerton-Tirsway for this work.

Reports from the Street, Street Cleaning, Health and Incinerator Departments the Public Health Nursing Association and the City Plumber were read and, on motion, ordered filed.

On motion, adjourned.

Secretary-Treasurer.

Saturday, June 17th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Weekly reports from the Building Inspector, Sealer of Weights & Measures, and the Log Cabinet, were read to the Board, and, on motion, ordered filed.

One Robert Glenn appeared before the Board and stated that he had constructed a new street from Central Avenue to Elm Street and asked that the City lower the curb.

Mr. Glenn also requested that the inlet to the storm sewer be enlarged, as the opening at present was too small to accommodate the surface water.

This matter, on motion, referred to the Commissioner of Public Works for investigation and report.

On motion the following building permits were granted:

Mr. Heitman	Repairs		Gertrude Place	Estimated Cost	$1200.00
G. E. Hughes	Sleeping Porch	118	Pennsylvania Ave.	" "	400.00
Thos. S. Rollins	Apartment House		Chestnut Street.	" "	50000.00
H. W. Wright & R. V. Morrow	7 room house		Linden Avenue	" "	6000.00

On motion, adjourned.

Secretary-Treasurer.

Monday, June 19th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A communication from the Corporation Counsel, with reference to Pickens-Bradley Claim of $140.00, also, as to whether or not the KLIM products come within the provisions of the Milk Ordinance, was read to the Board, and on motion, ordered filed.

" June 19, 1922.

Honorable Mayor Commissioner and Board of Commissioners, City of Asheville, North Carolina.

Gentlemen:-

In reply to your communication of the fifteenth instant, with reference to a claim filed on May 8, 1922 by Pickens & Bradley Company in the amount of $140.00 for alleged damages to their property on Broadway, by W. P. Brown, Esquire, I have to advise that I have consulted with the members of the Board concerning this matter; that it is one of those cases which have heretofore been regarded as a confidential communication between attorney and client. However, after having the last mentioned matter brought to your attention you desire me to file a report in writing concerning the same, I am at your command.

In regard to a request filed with me for an opinion as to whether the KLIM products come within the provisions of the Milk Ordinance of the City, I have to advise that I do not have sufficient facts before me to render an intelligent opinion, as it is purely a question of facts to be applied to the Ordinance in force. However, a representative of this company called on me at my office and stated that he would furnish me some time the first of this week full data and information concerning the product, and upon receipt of this information I will confer with the Health Officer, and Milk Inspector as to the facts and will advise you fully whenever the action outlined above can be taken.

Very respectfully,

GEO. PENNELL

G.P.:B

Corporation Counsel."

On motion, the following building permit was granted:

C. N. Malone and H. A. Dunham	Apartment House	Merrimon & Chestnut	Estimated Cost $50,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, June 20th - 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Gallatin Roberts absent on official business, Vice Mayor Sherrill presiding. The minutes of the previous meeting were read and approved.

This being the day, according to the City's advertisement that bids were to be received for repairs to the City's reservoir, on motion, the Clerk was instructed to open and read all bids submitted, whereupon the following bids were opened and read to the Board.

On motion, it was ordered that all bids submitted be referred to the City Engineer for tabulation and report.

TABULATION OF BIDS FOR REPAIRS TO CITY RESERVOIR.

June 20th, 1922.
Asheville, N.C.

Bidder	R.F.Concrete only	W. P. Membrane only	Complete Work.
E. T. Belote	34,325.00		44,700.00
R. C. Stephens			45,570.00
Electrical Const.Co.	43,800.00		
Porter & Boyd		6,500.00	65,000.00
Fanning & Quinn			110,000.00
W. H. Arthur Co.			
Barrett materials		5,700.00	
Johns-Manville materials		6,600.00	

Bidder	[illegible] Concrete only	W.P.Membrane only	Complete work.
[illegible]			
[illegible]		9,238.00	

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SUMMARY [illegible]

(1) E. T. [illegible]	Reinforced Concrete	$34,325.00	
W. [illegible] Arthur	W. P. Membrane		
	Barrett Materials	5,700.00	
			$ 40,025.00
(2) E. T. [illegible]	Complete Job		44,700.00
(3) [illegible]	Complete Job		45,570.00

The paving of Valley Street between College Street and Biltmore Avenue having been passed by City Engineer Lee, on motion, the Mayor was authorized and instructed to issue a check in favor of the Asheville Paving Company for $16,[illegible].00 in full for the paving of this street.

The City Engineer's report showing total and pro-rata cost to property owners on account of paving the above named street with sheet asphalt between College Street and Biltmore Avenue was presented to the Board and on motion the liens were ordered advertised according to law.

June 19th, 1922.

The Mayor and Board of Commissioners,
City of Asheville N. C.

Gentlemen:-

As instructed by you, the pavement of Valley Street was examined today, and was found to be in apparent good condition except that the finish is rather rough. The defects in finish it is believed, are due to two causes; first, the very uneven nature of the base, the old concrete pavement which caused a greater settlement where the asphalt was thick and a less settlement, that is high places, where the asphalt was thin; second, the lack of competent street inspection of the asphalt finish. The inspector, though an excellent concrete man, and slightly familiar with asphalt pavement, is not skilled in this particular line and therefore did not get the result that should have been obtained from an expert.

It is recommended, in view of the fact that the Asheville Construction Company is bonded to maintain this surface for a period of five years, that the pavement be accepted.

It is recommended that on future asphalt pavements, that the best practical street inspector obtainable for asphalt pavement be employed. That his wages could be obtained by the use of a portion or all of the money that would ordinarily be spent for asphalt testing as it is felt that much better results will be obtained by thorough and practical street inspection, than by elaborate asphalt testing.

Respectfully submitted.

B. M. Lee, City Eng. "

On motion, the following building permits were granted:

Mrs. Margaret Anderson	4 room bungalow	Middlemount Avenue	Est.Cost	2,000.00
Mrs. E. R. Glen	4 room bungalow	" "	" "	2,500.00
O. L. Fitzgerald	5 room residence	23 Woodfin Place	" "	4,000.00
Dan W. Hill	[illegible] room house	Forest Hill	" "	10,000.00
Charles Rodgers	build fruit stand	Pine Street	" "	25.00
S. A. Rubin	Garage	24 Marcellus St	" "	200.00
Lillie B. Shaw	4 room house	31 Fairfield Avenue	" "	1,000.00
Shepoard	Remodel house	Pine & Eagle Sts	" "	12.00
J. B. Simpson	Recover house	147 Woodfin	" "	300.00
E. E. Wheeler	7 room house	Furman Avenue	" "	9,000.00

On motion, adjourned.

Secretary-Treasurer

Thursday, June 22nd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding, Commissioner Sherrill absent on account of illness. The minutes of the previous meeting were read and approved.

Attorney J. Y. Jordan, Jr. representing one J. B. [illegible] appeared before the Board and explained that his client was erecting a house on the west side of Beverly Road and had been instructed by the City Engineer to set the said house back 25 feet from the street line.

In view of the fact that his client's house was the only house on that side of the street, Mr. Jordan asked that a Building line be established on Beverly Road 25 feet from the street line in order to protect his client's [illegible].

On the recommendation of the City Engineer, it was ordered, on motion, that a building line be established on the west side of Beverly Road, 25 feet from the street line.

The request for a light on Brownwood Avenue was, on motion, referred to the Commissioner of Public Works.

On motion it was ordered that the name of Fairfield Avenue be changed to Fairfax Avenue, same being an extension of Fairfax Avenue.

A report of a dangerous place on Southside Avenue, opposite the residence of one Mrs. Russell, was, on motion referred to Street Superintendent [illegible] for investigation and report.

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a 6 and 8 inch pipe sewer on Virginia Avenue, Langwell Avenue, Lufty Street and Galax Street, was presented to the Board and on motion the liens were ordered advertised according to law.

On motion the following building permits were granted:

E. W. Dixon	Garage	#44 Clingman Avenue	Estimated Cost	60.00
G. W. Maney	Repairs	265 Asheland Ave	" "	150.00
Sarah Miller	Repairs	81 Pine Street	" "	450.00
Mary Sloan	Repairs	126 Plemmons St	" "	50.00
G. N. Taylor	2 rooms	Haywood Road	" "	[illegible]
Tiddy and Hall	2 ventilators	35 W. Walnut St	" "	50.00
D. S. Watson	Apt. repairs	140-144 Montford	" "	400.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, June 24th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. Commissioner Sherrill absent on account of illness. The minutes of the previous meeting were read and approved.

Attorney J. C. Martin representing the Asheville Power and Light Company appeared before the Board and protested to the charge against the property of the said concern, by reason of the construction of the Horney Heights Sewer on the grounds that the property charged was overflow property and could not be used for building purposes and therefore would have no use for a sewer.

This matter was again taken under advisement, the Board agreeing to go over the ground and investigate the matter in person.

Attorney Ford Sale representing the Overland Asheville Sales Company appeared before the Board and asked that the City Engineer be requested to designate the number of feet of the property belonging to the Overland Asheville Sales Company the city proposes to condemn, on account of the proposed opening of Marriott Street from Walnut Street to Broadway street.

On motion, it was ordered that the City Engineer be instructed to comply with Mr. Sale's request and designate on the map or plat the number of feet of land condemned.

Attorney M. L. Willis, representing E.G.and A.H.Carrier objected to the action of the Jury in awarding benefits and damages on account of the proposed condemnation of land to widen the North end of Valley Street on the grounds that the report did not commensurate with the property taken.

Attorney Williams also stated that in his opinion the report was invalid for the reason that the benefits exceeded the damages and for the further reason that the Jury undertook to amend the plat of the proposed improvement submitted by the City Engineer which had been made a part and parcel of the proceedings.

After some discussion, on the advice of the Corporation Counsel it was ordered that the report of the Jury showing benefits and damages assessed by reason of the condemnation of a part of E. G. and A. H. Carrier's lands for the purpose of widening the north end of Valley Street, be held open as unfinished business the Board desiring further legal advice, until the regular meeting of the Board on Tuesday June 27th, 1922.

Mr. Buttrick representing the Brown Hardware Company appeared before the Board and asked for further time in which to submit a bid on the hardware for the North and South Asheville school buildings, stating that under the City's advertisement he only had three (3) days and it would be impossible for him to perfect his bid in that length of time. It was explained to Mr. Buttrick that this matter came under the jurisdiction of the joint Board of Commissioners and the School Board but he was assured by the Mayor that he would probably be granted one or two days additional if necessary in order to perfect and file his bid.

A committee representing the St. Mathias Episcopal Church appeared before the Board and called attention to the fact that according to a map of the property belonging to this church, recorded in 1888, a street had been laid out extending from Dundee Street to O'Neil Street through said property, but that said street since that time has been occupied by residences. The committee requested that the City take some action to open this street.

The Committee was informed by the Mayor that as the Street having never been accepted by the City the City has absolutely nothing to do with it therefore the Trustees of the Church would have to settle this matter for themselves.

Mr. Lebaron appeared before the Board and called attention to the fact that a Mr. Hess had excavated for a residence in Forest Hill had run into a water line supplying water to Mr. Henry's residence and a Forest Hill Boarding house. He explained that Mr. Hess had demanded that the water line in question be moved off his property and requested that same be laid on Arden Avenue.

This matter on motion referred to the City Engineer for investigation and report.

An application for permission to give a musical entertainment for the colored disabled soldiers at Biltmore, Oteen and Swannanoa on July 4th. next, was, on motion, taken under advisement, the applicant being requested to present this matter again at the regular meeting of the Board on next Tuesday for an answer.

The request of M. D. and Estelle Johnson for permission to lay a six (6) inch sewer line from the rear of 117 S French Broad Avenue westward across Aston Park where connection can be made with the City sewer on the west side of Aston Park, was, on motion, referred to the City Engineer for investigation and report.

4 : 2

(Copy of letter)

To the Board of City Commissioners of the City of Asheville:

Major M. D. Johnson and wife Mrs. Estelle Johnson, makes application to the Mayor and Commissioners for permission to lay a six inch sewer line from the rear end of their lot, at 117 South French Broad Avenue, Westward across the Aston Park to where connection can be made with the City Sewer line at and about the West side of the Aston Park property, belonging to the City of Asheville, this June 24th, 1922.

M. D. Johnson and Mrs. Estelle Johnson.

Per Thos. J. Rickman
their attorney.

The request of the custodian of the colored Swimming Pool for an Iron ladder, 1 spring Board, 15 feet of hose and 6 park benches, was, on motion, referred to the Commissioner of Public Works for investigation and report.

The request of the Playground Supervisor of Aston Park for five (5) checker boards and repairs to two swings, was, on motion, referred to the Purchasing Agent with power to act.

One W. H. Michael having filed bond, court record, doctor's certificate and recommendations, as required under the Ordinance regulating public service automobiles, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

Weekly reports from the Building, Electrical and Plumbing Inspectors and City Plumber, City Sealer of Weights and Measures, Playground Supervisor, Supervisor of colored swimming pool, Street, Street Cleaning, Health, and Incinerator Departments, Public Nursing Ass'n, and City Bacteriologist, were read to the Board and ordered filed.

On motion, the following building permits were granted:

Jas. A. Greer	4 room house	Twilight Street	Estimated Cost	$1,400.00
" " "	5 " "	"	"	1,600.00
J. S. Hawthorne	5 " "	Max Street	"	2,500.00
Frank Leppert	Garage	264 Haywood St	"	100.00
L. C. Lyman	Garage	Horney Heights	"	250.00
John Renfroe	6 room house	Fulton Street	"	3,000.00
Geo. Shuford	Repairs	508 Depot St	"	300.00

On motion, adjourned.

Secretary-Treasurer.

(Copy of letter from Asheville Power and Light Company)

TO THE MAYOR AND COMMISSONERS OF THE CITY OF ASHEVILLE

IN RE. HORNEY HEIGHTS SEWER.

Asheville Power and Light Company objects and excepts to the report of the City Engineer, dated June 16th, 1922 and to the action of the Board of Commissioners thereon, assessing against the property of Asheville Power and Light Company, the sum of $460.80 as supposed benefits to the property of said Company by reason of the construction of said sewer.

The attention of the Mayor and Commissioners is called to the fact that this sewer is laid on a strip of land purchased and held by Asheville Power and Light Company for flowage purposes only, and that the land is much of the time under water, and is at all times in a swamp, totally incapable of being improved for building purposes, and is not benefitted in the slightest degree by the construction of the sewer through the same.

This June 23, 1922.

ASHEVILLE POWER AND LIGHT COMPANY
BY Martin, Attorney. "

Tuesday, June 27th, 1922. 11 o'clock A.M.

[illegible] Board of Commissioners met in regular session, Mayor Roberts presiding. [illegible] meeting were read and approved.

The Commissioner of Public Works reported that Engineer C. E. Waddell [illegible] matter of repairs to the City's Reservoir be postponed [illegible] regular meeting of the Board.

[illegible], it was ordered that the recommendation of Engineer Waddell be complied with and the matter of repairing the City's Reservoir be continued [illegible] regular meeting of the Board.

[illegible], it was ordered that one Herbert Saunders be allowed to [illegible] at the old Jersey Mill on Biltmore Avenue for the colored people of the City [illegible], upon payment of the regular license tax.

On the recommendation of the Commissioner of Public Works it was ordered, [illegible], that Mr. A. I. Logan be granted a refund of $23.50 for a water and sewer connection to his property on Pearson Drive. This action taken for the reason that investigation of the records disclosed the fact that this connection was paid for twice.

On the recommendation of the Commissioner of Public Safety it was ordered that Mr. F. D. Weaver be refunded $1.0 the amount paid by him for a chauffeur's license; Mr. Weaver having been issued two license cards, in error.

BR

Requests for street lights on Brooklyn Avenue, Vance Street, and Beaucatcher Road, were, on motion, referred to the Commissioner of Public Works for investigation.

The complaint of one Mr. Sale of alleged damage to his garden by overflow from the sewer, was, on motion, referred to the Commissioner of Public Works for investigation and report.

The request of J. T. Michael in charge of the colored summer school that the city furnish one of its trucks on the 4th of July for a picnic to be given for the benefit of said school, was, on motion, taken under advisement.

[illegible] Jones appeared before the Board and called attention to the fact that [illegible] had opened a ditch for the installation of [illegible] on Charlotte Street and that a pedestrian traveling [illegible] said ditch receiving serious injuries. This matter, on motion, referred to the Commissioner of Public Works for investigation [illegible].

[illegible] further information before passing finally upon the matter of the [illegible] assessing benefits and damages on account of widening [illegible], it was ordered, on motion, that further consideration of the said matter be postponed [illegible] all business until the regular meeting of the Board [illegible].

The application of one E. A. Schooler for chauffeur's license to operate a public service automobile in the city, was, on motion, referred to the Commissioner of Public Safety for further investigation as to the criminal record of the applicant.

One [illegible] having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a Chauffeur's license to operate a public service automobile in the city, was, on motion approved, and it was ordered that he be granted the license requested.

The City Engineer's report showing his investigation of the request of Mr. LaBarbe that the water line supplying the water to the residence of Mr. Terry and the Forest Hill Boarding house in Forest Hill be moved from the property of Mr. Hess to Arden Road, was, on motion referred to the Commissioner of Public Works for investigation with the request that he secure an estimate of the cost of moving the line as requested.

June 26th, 1922.

The Hon. Mayor and Commissioners:

Gentlemen:

To remove the water pipe off the Hess lot in Forest Hill and lay it on Arden Road as requested by Mr. LaBarbe, will require the laying of 700 feet of 1½ inch galvanized pipe from the end of the present 1½ inch pipe running out of Sherwood Road along Arden Road to connect with the two (2) inch pipe in Sherwood Road. This pipe will accommodate seven houses. Three of these, I understand, were guaranteed water by the Forest Hill Company.

Very respectfully
B. M. Lee, City Engineer."

On motion, the following building permits were granted:

W. E. Britt	Repairs	150	Roland Avenue	Estimated Cost	$5.00
W. E. Britt	Colored house	111	S. Liberty St	" "	350.00
Dr. H. Boyce	Repairs		Eagle Street	" "	150.00
W. E. Cosby	5 room house		Vermont Avenue	" "	1500.00
W. J. Wallace	5 room house		Pearl Street	" "	3000.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, June 28th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. B. Anderson and J. Y. Jordan Jr. appeared before the Board and filed a petition signed by 195 residents in the vicinity of Magnolia Park, asking that said park be opened for the use of white people only, contending that the park at present was intended for the use of colored people and in view of the fact that this was primarily a white settlement to allow colored people the use of the park would tend to create considerable disorder.

Attorney Austin and others representing the colored citizens residing in the vicinity of Magnolia Park, protested to the request of petitioners, stating that the colored citizens owned property more than half way around the park and that there were more than 200 little negro children in that section of the City with no place to get any recreation except in Magnolia Park. They asked that the Board consider the proposition of constructing a tennis court and shower baths in the said park for the use of the colored children.

This matter, on motion, taken under advisement.

(Copy of petition)

Asheville, May 11th, 1922.

TO THE HONORABLE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE, NORTH CAROLINA.

We the undersigned citizens and residents of Asheville, North Carolina, and property holders on Cumberland Avenue, Flint Street and Magnolia Avenue, respectfully request your Honorable Body to open the Park on Magnolia Avenue, in the city of Asheville for the use by white people only. The plot of ground is beautoful and located in the best resident section of the City and is now used by the colored people and we respectfully request that the Park be improved and used exclusively for white people.

Respectfully submitted.

W. A. Whitfield	J. O. Howard	C. V. Robins.
S. I. Bean	J. H. Wilson	R. H. McDuffie
A. J. Creasman	W. M. Watts	Emmett J. Davis
Louis Weill	W. L. Grantham	P. C. Blackman
R. C. Smith	B. H. Sumner-	A. T. Ritchie
G. M. Cochran	Eston A Fox	Roy F. Leatherwood
W. J. Osborne	F. C. Bourne	J. Hardy Lee
Clinton K. Hughes	McNeely Pritchard	B. M. Lee
Ralph Wilson	F. R. Howitt	Robert H. Cooke
J. W. Neely	J. K. Bell	F. M. Lindsay
Sarah E. Anderson	J. G. Stikeleather	Vonno L. Gudger

	J. [illegible] Styles	John H. Cathey
	Joseph Frankle	J.Y.Jordan Jr.
	[illegible] Bartlett	H. C. Clark
	J. C. [illegible]	Frank A Michael
	[illegible] Thaddley	C. T. Rawls
	W. A. Billingham	Geo. J. Evans
	J. W. Eidson	Frank Smith
	W. M. Larsater	E.E.Elter
	[illegible]	W. H. Clark
	J. A. Boone	J. D. McPherson
	[illegible] E. Wright	George R.Murphy
	J. L. Pope	George Stewart
	W. [illegible] Griffin	W. E. Cole
	I. S. Randolph	A. H. Southran
	A. V. Lyday	Paul T. Oxford
	[illegible]	W. Harry Bartley
	D. M. Hodges	J. S.Zimmerman T.C
	H. C. Etheredge	C. H. Folmet
	C. Stikeleather	T. W. Miller
	[illegible]	E. T. Belote
	J. [illegible] Drake	Plott Boyd G.
	[illegible] L'pirney	F. Rutledge
	J. M. Bridger	J. J. Worsley
	[illegible] T. Wortsell	W. F. Randolph W. H
	[illegible] Stromberg	Elliott A, Fox
	A. [illegible] Hamlett	R. A. White
	[illegible] S. Miller	E.J.Randolph
	John B. [illegible]	R.M.Wells
	H. Petrie	C.G.Stedman
	[illegible] Duncan	M. D. Gibbs
	C.J.[illegible]	Mrs. Ida M.Cathey
	Hugh LeBarle	R. C. Hawkins
	L. [illegible] Greer	C. Hollingsworth

[illegible] that Flint St. be paved from Magnolia Avenue to Ocala Street, was presented to the Board and on motion referred to the City Engineer for investigation and report as to the front footage and property owners represented thereon.

PETITION TO HAVE NORTH END OF FLINT ST. PAVED.

Asheville, N.C. February 13th 1922.

To the Honorable Mayor and Board of Commissioners of the City of Asheville.

Gentlemen:-

The undersigned property owners on Flint street in said City, between Magnolia and Ocala Streets, respectfully petition your Honorable Board to pave the [illegible] between Magnolia and Ocala Streets, the amount of paving [illegible] only one block.

[illegible] the water is bad it is almost impossible to get up and down [illegible] with conveyances.

Signed:
[illegible] Taylor Pendergrass, J. P. Crawford, Maggie Thomas, [illegible] L. Combs
[illegible] E. L. Alston.

On motion of Engineer Waddell, it was ordered that the bids [illegible] be held in abeyance until the regular meeting of the [illegible].

The request of [illegible] Mine Mobile all that the City repair the sewer connecting [illegible] into the Biltmore Avenue sewer, was on motion, taken [illegible].

On motion, that the report of the Commissioner of Public Works it was ordered, [illegible] hearing of Hall Street on the West side along the property of E.G.and A.H. [illegible] be rejected and that proceedings be started as early as possible to place another [illegible] on this proposed improvement.

An ordinance regulating the operating and licensing of Public Dance Halls in the City of Asheville was presented to the Board by the Commissioner of Public Safety and on motion passed on its first reading.

J. S. Barrett, Ben Thiles, G. A. Whitehead, Pete E. [illegible] and Paul M. [illegible] having filed bonds, court records, doctor's certificates and recommendations, as required under the Ordinance regulating Public Service automobiles, and all papers being approved, their application for a Chauffeur's license to operate a public service automobile [illegible] was, on motion, approved, and it was ordered that these parties be granted the licenses requested.

On motion the following building permits were granted:

[illegible] Greco	[illegible]	Grace Park, West Asheville	Estimated cost	$	[illegible]
W. C. Brown, Jr	[illegible] House & Garage	Kenilworth Drive	"	"	[illegible]
[illegible] Bros.	[illegible]	Coxe & Patton Avenue	"	"	[illegible]
[illegible] W. Green	[illegible]	260 Haywood St	"	"	[illegible]

On motion, adjourned.

Secretary-Treasurer.

Thursday, June 29, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. Commissioner R. L. Fitzpatrick absent on official business. The minutes of the previous meeting were read and approved.

[illegible] NIXON & STRANG-- ASKS LEAVE TO TAP MAIN.

The request of Messrs. Nixon and Strang, made through the Assistant City Engineer, for permission to tap the water main on Coleman Avenue, just outside of the city, was, on motion, taken under advisement.

On motion, permission was granted one Phillip New to preach on the streets of the City directly under the supervision of the Chief of Police.

On motion, it was ordered that the contract for repairs to the present city water reservoir on Beaucatcher Mountain be awarded to E. T. Belote on his bid of $40,595 for the work complete; this being the best and lowest bid submitted, and the Mayor was, on motion authorized to execute the contract.

On motion, a map or plat submitted by the City Engineer was adopted as a zone of benefits and damages on account of the proposed condemnation of a right of way for the construction of a sanitary sewer line to accommodate the new school building under erection in West Asheville, and Mr. E. L. Singer was appointed special agent for the city to confer with interested property owners in an effort to reach an agreement as to damages and benefits accrued.

A request for a street light on Moody Avenue was, on motion, referred to the Commissioner of Public Works for investigation and report.

W. O. Teague and J. W. Willis, having filed bonds, court records, doctors' certificates and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, their application for chauffeur's license to operate public service automobiles in the city were, on motion, approved, and it was ordered that these parties be granted the licenses requested.

On motion, the following building permits were granted:

[illegible] B. Gorrell	Repairs	68 Louisiana Ave.	Estimated cost	$	700.00
[illegible] Smith Bros.	Shed	Coxe & Patton Ave.	"	"	50.00
[illegible] R. Kibler	Store Rooms	Spruce Street	"	"	1,500.00
[illegible] C. Bradford	Porch	38 Hiawassee St.	"	"	250.00
[illegible] P. Jeffries	Store	Sluder Plot	"	"	8,000.00
[illegible] S. Davis, Jr.	6 room House	Arden Road Forest Hill	"	"	6,000.00

On motion, adjourned.

Secretary-Treasurer.

...ville, June 7th, 1932. 11 o'clock A. M.

...regular session Mayor Roberts pre-
...read and approved.

...the granting and licensing of public dance
...referred to the Board.

...offered a motion that no action on
...could be had with the social commission
...record, the Commissioner of Public Works
...ordinance providing that the fees be
...be paid out of the General Fund, instead
...said inspector being paid out of
...ordinance. The amendment offered, receiving no
...that the Ordinance be passed on its
...

...by the Mayor was offered and carried
...Public Safety voting aye, and the
...

...Safety then moved that the rules be sus-
...third and final reading. This motion on
...and carried, the Mayor and Commissioner
...being duly seconded by the Mayor
...Public Safety voting aye, Commissioner of Public Works voting no.

The application of one W. H. Kuykendall for a refund of $10.00 the amount paid by him for the privilege of selling icecream at #28 Southside Avenue, on the grounds that he had decided to discontinue the business, was, on motion, taken under advisement.

...S. G. Lewis having filed bonds, court records,
...and having complied with the Ordinance governing
...approved their application for the
...vehicles in the city, were, on motion approved
...requested.

...City Sealer of Weights
...to the Board ..., on motion,

...permits were granted:

...	...and Other Road	Estimated Cost	$4,500.00
...	...Street	" "	500.00
...		" "	100.00
Repairs	Langren Hotel	" "	500.00

Secretary-Treasurer.

...ORDINANCE REGULATING THE OPERATION AND LICENSING OF
...PUBLIC DANCES IN THE CITY OF

...AN:

Section 1. ... Public Hall, as used in this Ordinance shall ... admission can be had by the payment of a ..., ticket or presentation of a token ... direct or indirect, for ... any service rendered, or any dance to which ... the payment of dues or subscription of membership in ..., club or other organization.

Section 2. ... Hall as used herein shall be taken to mean any ... be held or any place where classes in dancing ..., dancing given for hire or the payment of a fee.

Section 3. It shall be unlawful for any person, firm or corporation, club or society ... public dance or public ball, or to operate or conduct any ... Hall, or to hold classes in dancing within the corporate limits of the city of Asheville, until the place in which the same may be held or conducted and the Person, firm or corporation, club or society holding or conducting the same shall have been first duly licensed, and the license to be in force and not suspended pursuant to the terms of this ordinance.

Section 4. It shall be the duty of every person, or corporation, club or society desiring to operate, promote or maintain a public dance hall or to hold any public dance or dancing academy or dancing school in said city to apply to the Board of Commissioners for a permit and license, filing a written application showing the name and address of all persons interested in, or the firm

...Hall. ... required by the Board of Commissioners ... properly passing upon the application for a permit.

The Board of Commissioners before granting ... application hereof, shall refer all applications for license to the Chief of Police who shall investigate each application to determine whether the ... hall or public dance sought to be licensed and conducted ... the regulations, ordinances and laws applicable thereto and to the ... investigation aforesaid the Chief of Police shall be assisted by the building inspector, the Health Officer and the Chief of the Fire Department. ... shall personally assist in making the required investigation.

Sec. 6. ... the completion of the examination contained in the preceding section ... Chief of Police and the assistants ... shall report in writing the information derived from such investigation to the Board ... shall be issued for the operation, promotion or ... and ... Hall or public dance, as defined herein ... shall be conducted do not comply with the building laws and fire laws ... the State of North Carolina, and the City of Asheville, and the provisions of ... Ordinance.

Sec. 7. ... license shall be granted to any person of good moral character, ... to any person, firm or corporation, club or society ... has, within six ... prior to the date of the application for a license under the provisions of this ordinance been convicted of violating the provisions of the same.

Sec. 8 That each license granted hereunder to operate, conduct, or maintain a Public Dance Hall, or dancing academy, shall expire on the first day of July of each year, and the annual license fee on each Public Dance Hall or dancing academy or school as defined herein, shall be Fifty ($50.00) Dollars; Provided, however, no license shall be issued for a period less than six months, and a license for that period shall be Thirty-five ($35.00) Dollars, and no license shall be transferrable or assignable. And in addition to the annual license tax, herein provided for, every person, firm, corporation, club or society operating, conducting or maintaining a Public Dance Hall shall on or before 1 o'clock noon on each Monday pay to the Treasurer of the City of Asheville, through the Tax Collector, an inspection fee of Three ($3.00) Dollars for each day or fraction of a day, ... Public Dance Hall ... was ... operated, conducted or maintained ... during the preceding week, which said fee shall be paid before the ... to conduct, operate or maintain a Public Dance Hall ... fails to make ... club or society operating or maintaining ... a report of the fee, shall have his or its license ... revoked; and in addition to the report required on Monday of each week, by each of the persons, firm, corporation, club or society operating a Public Dance Hall ... to the Commissioner of Public Safety, ... a report ... Public Dances will be conducted during the ensuing week, the ... corporation, club or society holding the license shall render ... report for the preceding week.

Sec. 9 ... each Public Dance or Public Hall conducted within the corporate limits of the City of Asheville shall be subject to all the requirements of this ordinance in every particular, and all the provisions hereof shall apply with the same force and effect, except that no annual license shall be required of Public Dances conducted in a place where a licensed public Hall. However, a license to conduct such public dance in any place ... must be issued by the Board of Commissioners of the same as is required in the case of a licensed public hall, for which a license fee of Seven and Fifty One-hundredths ($7.50) Dollars shall be made for the day only; Seven and Fifty One-hundredths ($7.50) Dollars shall be made for the license for each day; but any license so granted shall ... after the issuance of the same by the Board of Commissioners ... Secretary to wait in order before the issuance of license by the Board of Commissioners.

Sec. 10 ... Public Dance Halls or places where Public ... shall be ... all times in a clean, sanitary and healthful condition; all ... water closets and all rooms connected with the Dance Hall shall be kept ... well lighted and shall be subject to inspection at any time by the Chief of Police, a Captain of Police, a Lieutenant of Police, or any subordinate police officer designated by the Chief of Police shall have the power, and it shall be their duty, to make frequent examinations of Public Dance Halls and places where public dances are conducted to see that the provisions of this ordinance are complied with in every particular.

Sec. 11 That no Public Dance Hall license or license for a public dance shall be issued unless the hall or place where the same is to be operated, conducted, maintained, held or given is properly ventilated and supplied with sufficient toilet conveniences and dressing room for both sexes, and is a safe and proper place for the purposes for which it is to be used.

Sec. 12 All public dances shall be discontinued and all Public Dance Halls shall be closed on or before the hour of 12 o'clock P. M. and remain closed until 9 o'clock A. M. the following day, provided, however, no public dance shall be permitted, or Public Dance Halls to be open on Sunday, the day commonly called the Lord's Day.

...ding
...ce or place
...ut having to pay the
...ibited, and any person leaving
...being conducted, will be
...required when ordinarily

...permit any person to attend or
...permitted in any Public Dance
...person be
...16 years unless such person be
...ful guardian; provided, that persons
...permitted to attend a dancing
...9 A. M. and 6 P. M. if the
...written permission for the
...purpose of receiving instruction
...therein. The written permits
...person, firm or corporation operating
...academy, and a monthly report
...Commissioner of Public Safety.

...unlawful for any person to represent himself, or
...16 years in order to obtain
...Hall or public dance, or to be permitted
...18 or 16 years of age.

...unlawful for any person to represent himself or
...herself to be of lawful age, in order that
...may enter a Public Dance Hall or public
...dance therein, when the party making the
...is not either parent or lawful guardian of
...such.

...unlawful for any person to commit any indecent or
...boisterous, violent or vulgar character at
...within the limits of the City of Asheville.

...unlawful for any person, firm, corporation, club
...or society to dance under any name the name of any public
...school, or to be connected with the public school system
...in any way.

...Inspector is hereby created and the
...from time to time in its discretion appoint
...perform the duties of this office and any
...immediately removed from office upon failure
...the provisions of this ordinance.

...duty of the Dance Hall Inspector to attend
...Dance Halls in the capacity of a police officer,
...and authority to see that the provisions of this
...rigidly enforced. The compensation of such Dance
...from the proceeds of license fees derived hereunder.
...the provisions of this ordinance shall
...to be used solely and exclusively for the
..., which fee shall be paid from moneys so

...may designate a member of the police
...Dance Hall Inspector, who shall serve
...Hall Inspector so appointed, and in
...the Dance Inspector, any member of the
...may make inspections as provided.

...Public Dance Hall or public dance shall be
...Board of Commissioners for disorderly or
..., or for violation of any ordinance
...Public Dance Halls or public dances.

...the license of a Public Dance Hall or a public
...revoked at least six months shall elapse
...is given on the same premises, or to the person,
..., or society to whom the original license was

...the expiration of any license an application for a new
...shall be made in the same manner as in the original
...provisions of this ordinance with reference to
...original license shall apply with full force and effect.

...any person, firm, corporation, club or society violating any
...of this ordinance shall be subject to a penalty of
Fifty ($50.00) Dollars for each and every such offense, and each and
every dance ... participated in in violation of this ordinance
shall be ... separate and distinct offense, and it shall be the
duty of the ... the Police Court to certify to the Board of Com-
missioners, the ... of each and every case brought in the Police
Court, for violation ... the provisions of this ordinance.

Sec. 16 ...that all ordinances or clauses of ordinances in conflict herewith be, and the same hereby are, repealed.

Sec. 17 ...that this ordinance being for the immediate preservation, peace, property and happiness of the citizens of Asheville, it is declared an emergency ordinance to take effect immediately after its passage and publication in a newspaper published in Asheville.

I move the adoption of the foregoing ordinance, this the 18th day of June, 1931.

R. L. Fitzpatrick

Approved as to form:

Geo. [illegible]

Corporation Counsel.

Saturday, July 1, 1931- 11 o' clock, A. M.

The Board of Commissioners met in regular session, Mayor Robert ... presiding. The minutes of the previous meeting were read and approved.

...

On motion, one W. M. Jarvis was granted a license gratis to peddle in the city. This action taken in view of Mr. Jarvis' physicial condition, he being unable to perform manual labor of any kind.

...

Mr. E. L. Singer, Special Agent representing the City, reporting that he had been unable to reach any agreement with interested property owners with reference to securing a right of way for a sanitary sewer to accommodate the West Asheville school, on motion, the Mayor was authorized and instructed to issue his writ for a jury to condemn the land necessary for the said improvement.

(Copy of Report)

July 1st, 1931.

The Honorable Mayor & Board of Commissioners,
Asheville, North Carolina

Gentlemen:

As per instruction, I beg to advise that I have conferred with interested property owners in an effort to reach an agreement with reference to securing a right-of-way for the sanitary sewer to connect the new West Asheville School, but have been unable to come to any agreement whatsoever.

Respectfully,

Edward L. Singer

Special Agent

...

On the recommendation of the Commissioner of Public Safety, it was ordered on motion, that Hubert E. McCurry be granted a refund of $1.00 paid by him for a chauffeur's license through error.

...

R. B. Alexander, Harry W. Sorrells, Rembert M. Lamb and Harry B. Johnson, having filed bonds, court records, doctor's certificates and recommendations as required under the ordinance regulating public service automobiles in the city, and all papers being approved, the applications for chauffeur's licenses to operate public service automobiles in the city, were on motion, approved, and it was ordered that they be granted the licenses requested.

were granted:

H. C. Donaldson	[illegible] Biltmore Avenue	Estimated cost		$ 2,750.00
Ella Kemp	[illegible] Ave.	"	"	300.00
Mrs. [illegible]	[illegible] Cumberland Ave.	"	"	350.00

[illegible], Secretary-Treasurer.

Monday, July 3, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Safety, it was ordered, on motion, that the City purchase the Lyman Signal now installed at the insection of Pack Square and College Street for $250.00 and the Mayor was, on motion, authorized and instructed to issue a voucher in favor of J. Y. Jordan, Jr. for that amount.

A representative of the Standard Oil Company appeared before the Board and explained that it was impossible to secure sewer connection to accommodate the Filling Station erected by his concern on Biltmore Avenue without crossing private property, and the owners of the property in question had refused permission for a sewer to be constructed across said property.

It was explained to the gentleman present that the city could condemn a right of way for said sewer but the entire expense, including the damages assessed by the jury, would have to be borne by the Standard Oil Company.

No action taken, the gentleman representing the Standard Oil Company stating that he would first have to take the matter up with his concern for instructions.

On motion, it was ordered that one W. H. Kuykendall be refunded three-fourths of the amount paid by him ($10.00) for the privilege of selling ice cream at 28 South Avenue. This action taken in view of the fact that Mr. Kuykendall expects to discontinue business.

On motion, one O. C. Gross was granted a license to conduct a public dance in the colored park, West Asheville during the afternoon and evening of July 4th on the payment of the regular license tax.

This permission was granted with the understanding that Gross is to comply with all provisions of the ordinance regulating the conduct and licensing of public dance halls in the city.

A communication, signed by D. W. Hill, Custodian of the U. S. Post Office, asking for the availability of water power to be used in the proposed hydraulic lift to be installed in the Post Office was read to the Board and, on motion, the Clerk was instructed to notify Mr. Hill of the rates now in force in the City of Asheville for city water.

(Copy of Communication)

June 16, 1922.

Hon. Gallatin Roberts, Mayor,
Asheville, N. C.

Sir:

I have your letter of May 25th in reply to my letter of same date, in which we made inquiry concerning the availability of water power to be used in a proposed hydraulic lift to be installed in the Post Office. You stated that you had referred the matter to Mr. Howell, Building Inspector, and would let us know immediately what you had to suggest. Mr. Howell called, but so far we have not received a reply to our inquiry, and it would be very much appreciated if you would favor us with one at an early date.

Respectfully yours,

D. W. Hill

S-P

Custodian

A communication from Jones, Williams & Jones, attorneys, representing Mr. G. A. Petteway, 82 Evelyn Place, calling attention to the fact that Mr. L. C. Sluder of Sluder Brothers has been making a threat to dig up the streets and remove pipes leading to the home of Mr. G. A. Petteway, 82 Evelyn Place and asking that the City refuse to grant Mr. Sluder permission to dig up the streets or sidewalks or interfere with said pipes was read to the Board and, on motion, ordered filed.

(Copy of Communication)

July 1, 1922

To
The Mayor and City Commissioners
of the City of Asheville.

Gentlemen:

Mr. L. C. Sluder, of Sluder Brothers, has made the threat to us that he intended to dig up the streets and remove and close the pipes leading to the home of Mr. G. A. Petteway, 82 Evelyn Place, in the City of Asheville, because Mr. Petteway refuses to pay Mr. Sluder a claim which Mr. Petteway does not owe. Mr. Petteway is abundantly solvent, and owns his home in the City of Asheville, and more than six months ago we notified Sluder Brothers that we would not pay the exorbitant claim and our client was ready for the matter to be decided in the Courts, we wish to formally notify you of Mr. Sluder's threat, and also to notify and request you not to issue any permit to Mr. Sluder to dig up the streets or sidewalks and interfere with the pipes leading to the house of Mr. G. A. Petteway.

Yours very truly,

JONES, WILLIAMS & JONES.

By: R. R. Williams.

One John Kaylor, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application to operate a public service automobile in the city was, on motion, approved, and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

Miss Elizabeth Bernard,	Garage	134 Furman Ave.	Estimated cost	$ 150.00
E. P. Gilkey	Recover House	181 Merrimon Ave.	"	150.00
J. F. Griffin	Addition	158 Coleman Ave.	"	2,000.00
Joe Murray	Addition	433 Biltmore Ave.	"	250.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, July 5th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Gallatin Roberts absent on official business, Vice Mayor Sherrill presiding. The minutes of the previous meeting were read and approved.

Mr. J. W. McElroy representing the promoters of the colored park in West Asheville, appeared before the Board and requested that a thorough investigation be made by the Board with a view of determining whether or not the city could render financial aid for the conduct of said park.

Mr. McElroy called attention to the fact that in rainy weather the streets leading to same are almost impassable and additional lights are needed badly. It was suggested to Mr. McElroy by Vice Mayor Sherrill that a committee of colored citizens interested, go into the matter thoroughly and determine what aid is needed and report to the Board when the Board would then go over the ground and investigate conditions in person and place itself in a position to give an intelligent answer to the request.

One of the promoters of the proposed park asked whether or not parties desiring to give a private dance at the pavillion in the park would be required to pay the license tax provided for in the ordinance and were advised by the Board that undoubtedly the license tax would have to be paid.

July 3rd,1922.

...Wall of S.J.Quigg at Grove Park in ...petition be granted, after he has cor-...:

...cut through the wall on the south end ...d now be changed to open outward and that ...ment by the Wall Inspector.

...will be completed by the middle of ...

...y submitted,

W.J...ster, Chief of Police

...L. Lamott, Chief of Fire department.

Building Inspector.

...p...ng that the petition requesting ...ble to Jewell Street was insufficient both ...thereon, it was ordered, on ...

...

...property owners on Flint Street request-...to Jewell Street I find that the ...ber of the owners, who represent a ...of the lands (owners or individual in-...terest in the person) abutting upon the ...ner.

...ntage of property on the street proposed ...the total frontage with the front-...

	Frontage Feet and Inches	Petitioned for Feet & Inches
E...	41	
...	78	39
...	40	40
...	40	
...	50	50
...	40	40
...	177.8	
...	100.5	
W...	80	80
...	100	
	764.3	249.

...764.7 ...

...

...

Sig...d B.M.Lee City Engineer.

...s ... Street, estimated cost of grading Fifth ...Board and on motion ordered filed.

...ville, N.S. July 1st, 1922.

...th Avenue and made a profile of same. I un-...t graded from Michigan Avenue west ..., that work would cost about as follows:

...0 ...	Yards at .35	$158.55
	.05	29.25
		$187.80

B. M.Lee, City Engineer.

B... M. L... ...

...

...

...regulating public service automobiles, ...operate public service automobiles ...

...

...

Assistant Engineer, T. A. Cox appeared before the Board and called attention to the fact that there were two Central Avenues, two Pisgah Avenues, two hall Streets and Victoria Avenue, Victoria Place and Victoria Road in the city and recommended that the names of one or the other of these street be changed.

After some discussion, the Engineering Department was instructed to make a list of the names of all streets in the city that have the same or similar names in order that the Board might consider changing the names of all of them in order to avoid confusion.

On motion, the Mayor was authorized and instructed to issue a check in favor of W. B. Reynolds for $36.00 for excavation made at the new incinerator; this in accordance with the City Engineer's estimated of July 6.

(Copy of Estimate)

July 6, 1922.

To the Mayor and Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

Herewith you will find estimate of the extra excavation made by Mr. W. B. Reynolds at the new incinerator plant. Outside of the lines and grades established by Mr. Lee in his road location to this plant, and necessary to make a pass way above the incinerator house.

Common excavation 72 cub. yds. @ .50-------$36.00

Respectfully submitted,

T. A. Coxe
Assistant City Engineer.

On motion, the following building permits were granted:

A. Boais	Porch	8 Woodlawn Avenue	Estimated cost		$ 275.00
C. J. Davis	Repairs	71 Tiernan Street	"	"	200.00
Gray & Daniel	Repairs	67 Tiernan Street	"	"	250.00
Mrs. J. M. Jones-1 Room		458 Biltmore Ave.	"	"	100.00
H. L. McCall	Repairs	61 Tiernan Street	"	"	250.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, July 8, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Zeb. V. Nettles, representing Martha and S. B. Miller, filed claim in the sum of $10,000 and $5,000, respectively, on account of personal injuries alleged to have been sustained by the said Martha Miller falling into a water meter man hole on the east side of Washington Road on or about the 27th day of May, 1922.

On motion, this matter was referred to the Commissioner of Public Works and the Corporation Counsel for investigation and report.

(Copy of Claims)

State of North Carolina,
Buncombe County.

Martha Miller
vs.
City of Asheville. Notice

TO THE MAYOR AND COMMISSIONERS OF THE CITY OF ASHEVILLE:

Notice is hereby given that the above-named, Martha Miller, hereby makes demand on the City of Asheville for the sum of Ten Thousand ($10,000.00) Dollars as damages sustained by her from personal injuries received on or about the 27 day of May, 1922, caused by her falling into a water meter man hole on the east side of Washington Road, in the City of Asheville. The said Martha Miller suffered a miscarrage on account of said fall and has been permanently injured as the result of said fall and said miscarriage. The said Martha Miller insists that the City of Asheville is liable for the injuries and damages sustained by her because of the dangerous and unsafe condition of the sidewalk at the place where she was injured, and because of the dangerous and unsafe condition of the man hole enclosing the water meter, and because of the dangerous and unsafe condition of the lod or covering of said man hole.

This the 6th day of July, 1922.

Zeb. V. Nettles
Frank Carter
M. W. Brown
Attorneys for Martha Miller.

Legal service of the foregoing notice and of a copy thereof is hereby acknowledged. This the ____day of July, 1922.

Mayor of the City of Asheville.

State of North Carolina.
Buncombe County.

S. B. Miller
vs.
City of Asheville Notice

TO THE MAYOR AND COMMISSIONERS OF THE CITY OF ASHEVILLE:

The above-named, S. B. Miller, hereby makes demand on the City of Asheville for the sum of Five Thousand ($5,000.00) Dollars as damages sustained by him on account of injuries suffered by his wife, Martha Miller, in falling into a water meter man hold on the east side of Washington Road, in the City of Asheville on or about the 27th day of May, 1922. The said Martha Miller was pregnant with child at the time of her said fall and suffered a miscarriage as the result thereof, and has been confined and will stillcontinue to be confined and to suffer on account of said fall, and said S. B. Miller has incurred and still continues to incur large expense for medical treatment, medicines and personal attention to his said wife, and has been deprived and for a long period of time will continue to be deprived of the services, assistance and consortium of his said wife. The said S. B. Miller insists that the City of Asheville is responsible for the fall of his said wife, and for the injuries and resulting damages sustained by him and his said wife because of the dangerous and unsafe condition of the sidewalk at the place where the water meter is located, and because of the dangerous and unsafe condition of the man hole enclosing said water meter, and because of the dangerous and unsafe condition of the lid or cover of said man hole.

This July 6th, 1922

Zeb. V. Nettles
Frank Carter
M. W. Brown ATTORNEYS FOR S. B. MILLER

Legal service of the foregoing notice and of a copy thereof is hereby acknowledged. This __6day of July, 1922 MAYOR

One [illegible] on [illegible] petition, signed by business men in the depot [illegible] to place enough of the asphalt that [illegible] Avenue on Riverside Drive to make that street [illegible] year.

[illegible] referred to the Commissioner of Public Works [illegible].

[illegible] Dr. E. B. Glenn, Messrs. Arch. Nichols, C. V. [illegible] citizens, appeared before the Board and [illegible] immediately start proceedings to call the election on the $1,[illegible] recently petitioned for at as early a date as [illegible].

[illegible] of Public Safety, duly seconded and unanimously [illegible] immediately start proceedings to call the election as early as possible, having due regard to the provisions of the law in such cases made and provided.

One S. [illegible] Burton was before the Board and called attention to the needed [illegible] at the west end of the concrete bridge.

Mr. Burton was informed that the proposed improvement would probably be started at an early date, both the city and county agreeing to pay their part, the matter having been held up for a few days in order to reach an agreement with the Asheville Power & Light Company.

Attorney R. R. Williams, representing one Caesar Winkler, appeared before the Board and filed claim in the amount of $3,000. on account of alleged personal injuries, alleged to have been sustained by said Winkler falling into a ditch in the sidewalk on the west side of Charlotte street on or about the 26th day of June, 1922.

On motion, this matter was referred to the Commissioner of Public Works and the Corporation Counsel for investigation and report.

(Copy of claim)

Asheville, N. C.,
July 7, 1922

To
The Honorable Mayor and
City Commissioners of the
City of Asheville, State
of North Carolina:

Please take notice that on the 26th day of June, A. D., 1922, at about eleven o'clock, p. m., I received serious bodily injuries by reason of a defect in the sidewalk on the West side of Charlotte Street, in the City of Asheville, at a point near 180 Charlotte Street; that the defect or insufficiency which occasioned said injuries consisted in a deep ditch being dug in said sidewalk, into which I fell while I was walking on said sidewalk, the fall causing a large, deep cut in my face and serious injuries to my teeth and mouth and leg. Please take notice also that I claim damages from said City for such injuries in the sum of Three Thousand (#3,000) Dollars.

CAESAR WINKLER

By Jones, Williams, & Jones
Attorneys.

One S. M. Culpepper appeared before the Board and explained that he represented a Chicago firm whose business it was to sell business cards to the local merchants with the understanding that these cards as collected by customers were redeemable for Rogers' silverware purchased from said firm.

Mr. Culpepper asked whether or not he would be required to pay a special license tax.

This matter, on motion, referred to the Corporation Counsel for investigation and report.

On motion, one E. [illegible]. Grove was granted permission to tap the 6 inch water line on Evelyn Place for the purpose of extending a line down Kimberly Road, with the understanding that all the work is to be done directly under the supervision of the Water Department of the City.

C.

The Commissioner of Public Works submitted a report and recommendation from C. E. Waddell, Consulting Engineer, relative to the water situation in Asheville, which was, on motion, ordered embodied in the minutes.

July Seventh,
1 9 2 2.

Mr. R. J. Sherrill,
Commissioner of Public Works,
Asheville, N. C.

Dear Sir:

Herewith is a study of the water supply for the City of Asheville. The report that follows contains a building program to extend over a period of years coincident with the City's growth and demand. At this time I recommend that the following things be done:

(1) Construction of the Upper Reservoir on Bee Tree Creek. Estimated cost $500.00. Minimum time required to build about one year. Advantage over other sites is that it will keep the 16" main from Bee Tree flowing continously at its full capacity.

(2) Install rainfall gauges, meters and similar devices and keep an accurate record of the available water, the inflow and outflow of the system. The cost will not be large but I cannot state a figure as I do not know how many public buildings and other places are not metered.

(3) Construct a reservoir to supply the higher altitudes. Install electric pumps and save the overflow now wasting into Cripple Creek by pumping it to the new reservoir.

Yours very truly,

CHAS. E. WADDELL.

CEW/vG

WATER SUPPLY STUDIES

CITY OF ASHEVILLE

This report is an attempt to formulate a policy for the development and extension of the water system through the years to come and to meet an increasing population - an ultimate of possibly 300,000. The plan contemplated is for a development made in a way that each step is an addition to the system and will not require scrapping of materials or abandoning previous construction.

TODAY'S PROBLEM

The immediate problem now confronting the City is an adequate supply of water during the low season; and also to furnish better pressure to outlying districts and the higher altitudes such as Sunset Mountain.

Mr. Sherrill has given the problem much thought and his suggested plan is, in my judgment, wise and feasible. Briefly stated, his plan is to construct an adequate impounding reservoir on one of the watersheds and to provide greater reservoir capacity near the City.

CITY'S WATER RESOURCES

(1) The City owns 6½ square miles of watershed on Bee Tree Creek, bounded by the Craggy Range.

(2) The City owns 2 square miles on Sugar Fork, lying on the Eastern slopes of the Craggy Range.

(3) The City owns 13 square miles on North Fork, bounded on one side by the Craggy Range and on the other side by the Blue Ridge and lying on the Southwest slope of the Mt. Mitchell group of peaks.

RAINFALL

All of the watersheds are in timber, are fenced, and are in an area of copious rainfall.

Unfortunately no records have been kept of the rainfall on the watersheds. The Weather Bureau has maintained a rainfall station at Montreat for the year 1921. The rainfall at this station is reported as 53", against 35" for Asheville during the same period. Highlands and Toxaway are much the same character of locality as the Mt. Mitchell section and I am inclined to think the rainfall is pretty much alike on the two areas. The rainfall has been measured for years at Highlands and averaged some 78" per annum.

The run-off is proportionate to the rainfall. In the absence of any accurate information as to how much water runs off the watersheds I have used the run-off records of the French Broad River at Asheville for estimating reservoir capacities, as will hereinafter be discussed. The average run-off over the entire French Broad valley is unquestionably far less than in the forested, high altitude areas owned by the City. It will therefore be ultra conservative to use the French Broad records and conclusions based on their use will serve the immediate purposes.

IMPOUNDING RESERVOIRS

It seems almost too obvious to need stating, that if the vastly valuable, but unevenly distributed rainfall is to be claimed as an asset and distributed evenly throughout the year, it will be necessary to provide impounding reservoirs at the source. Not one reservoir, but many reservoirs.

Blueprint map #1361 accompanying this report shows the location of 5 reservoirs on the catchments. The capacity of these reservoirs is tabulated and the cost of some of them estimated.

Two sites may be considered at this time. The North Fork Junction Site on North Fork and the Upper Site on Bee Tree. The type of these two dams, their cost and their relative merits will be discussed hereinafter under their respective headings.

The subject may be passed over at this point by merely laying stress upon the necessity of:

(1) Getting a reservoir large enough to keep the 16" pipe delivering its full capacity year in and year out.

(2) To select the site which offers the lowest cost per million gallons of water impounded.

(3) To select the site where a dam may be more quickly constructed, for it is a fact that, notwithstanding the completion of the Bee Tree line last year, the City barely excaped a water famine in October 1921.

PIPE LINES

(1) A 16" main 9.5 miles long extends from Bee Tree to the standpipe on Town Mountain. It is stated that this pipe will deliver 3½ million gallons per day of 24 hours. I have had no opportunity of verifying the capacity, but the statement agrees very well with the calculated capacity based on the difference in elevation, friction loss, etc., and I think it will be safe to accept 3½ million gallons as the capacity.

(2) A 16" main extends from the North Fork intake to the standpipe on Town Mountain, a distance of 16.1 miles. This pipe is also stated to have a capacity of 3½ million gallons per day of 24 hours.

The two pipe lines have a total capacity of 7 million gallons per day. It is usual to allot 100 gallons per capita per day for city consumption. The pipe lines therefore have a capacity adequate for a population of some 70,000. Therefore, it may be concluded that if the pipe lines are kept flowing to their capacity they will supply the City for some years to come. Further, in the years to come when more capacity is needed it will only be necessary to lay additional mains.

FREEMAN'S SURVEYS

In 1901 John R. Freeman, Consulting Engineer, Providence, R. I., now President of the American Society of Civil Engineers, made surveys for Marsden J. Perry and R. S. Howland for an improved water supply for the City and at that time located, surveyed and estimated the cost of impounding reservoirs on North Fork and Bee Tree. Certain of the maps accompanying this report are reproductions of Mr. Freeman's surveys. I have examined the sites he selected on North Fork and have adopted his findings.

Mr. Freeman also made surveys on Bee Tree, but in the light of twenty years advance in dam construction I have concluded that it is wiser to choose other sites on Bee Tree.

EXPLANATION OF USE OF RIVER CHARTS

The French Broad River fluctuates daily. For nearly 20 years the quantity of water flowing past Asheville has been measured daily.

The blueprint charts at the back of this report show the French Broad run-off by the months from 1909 to 1920. The charts represent graphically so clearly the run-off, and have such vital bearing on the subject of this report, that I bespeak the reader's most careful perusal of the paragraphs that follow:

(1) The quantity of water in the French Broad River flowing past Smith's bridge is recorded each day. At the end of the month the daily readings are added up and the total quantity of water that has gone down the River is calculated and expressed as the number of inches that such quantity would be if standing pond-like over the entire area which the French Broad River drains above Asheville. Refer to the chart for 1909. The run-off for the month of June is seen to be 6.5 inches. This means that as much water flowed down the French Broad River in the month of June as would have formed a lake 6.5 inches deep over the entire 987 square miles that the French Broad River drains.

(2) The reason for expressing the run-off in inches is that it is convenient to compare the run-off with the rainfall, and the rainfall is always expressed in inches. The rainfall is divided up into that part which evaporates; that part which goes back through plant life in transpiration; and that part which ultimately flows off in the stream.

(3) The Asheville watershed is a part of the French Broad drainage. It is a very small part. I have stated that the rainfall is probably heavier on the Asheville watershed than the average over the whole basin. It is also probable that on the smaller watershed the fluctuations, both high and low, are more pronounced; and the daily fluctuations are more extreme than the average; however, for the purposes of this report, the French Broad charts will be considered as truly applicable to the Asheville watershed.

(4) Now, examining the Bee Tree chart (for example) a black line will be observed. Below the black line certain areas are shaded in yellow. The black line has been computed and corresponds to a 24-hour delivery of 5,333,000 gallons. The white area represents the natural flow of the stream; the yellow area represents the quantity that would be supplied from a storage reservoir in order to maintain a daily flow of 5,333,000. Two facts will be at once noted; first, that there is ample rainfall; second, that the size of the impounding reservoir determines how much deficit can be supplied and that even with the largest reservoir that we feel is economically justified, only a small portion of the total rainfall can be stored.

(5) The reasoning applying to Bee Tree applies also to North Fork.

Since this report is intended for a permanent document to be handled by men who are not trained hydrographers, I have purposely omitted all of the tedious calculations and have presented the charts merely as conclusions. In the years to come permanent records made on the watersheds will determine how these conclusions are to be modified. The principle and the application, however, do not change.

NORTH FORK JUNCTION RESERVOIR

Drawing #1361 shows the location of this reservoir. Two heights of dam have been considered. Mr. Freeman designed a dam 50' high which would impound 222 million gallons of water. We have estimated on a dam 100' high which would impound 1 billion gallons. In each case earthen dams have been considered. The Freeman dam we estimate at $350,000. Our dam we estimate will cost $800,000. The water impounded by Mr. Freeman's dam is sufficient to supply 8 million gallons per day of 24 hours. Our reservoir will supply 15 million gallons per day of 24 hours through the average year.

The rainfall on the catchment is ample to supply the larger reservoir. The larger reservoir will supply a population of about 150,000. In the distant future when Asheville has exceeded a pupulation of 75,000 it would be time to consider installing a large pipe from the larger reservoir, at such time a 30" pipe or larger should be laid. At current prices a 30" line would cost about $1,200,000 and would furnish 15 million gallons of water per day. From the point of cost per million gallons impounded the higher dam is by far the cheapest and best dam to build at North Fork, but it is entirely feasible to build the Freeman dam at this time and to raise it to 100' in the years to come.

Probably the best way to develop North Fork would be to successively build the Freeman dam, the East Branch reservoir and the West Branch reservoir and ultimately raise the Freeman dam to 100'.

BEE TREE RESERVOIRS

Two reservoir sites have been surveyed on Bee Tree. The upper reservoir is located at the junction of the two forks and is about one mile above the present intake. The sides of the gorge appear to be solid stone and we have designed a solid concrete arch dam for this site. The dam would be 130' high and would impound 189 million gallons. The cost we estimate as $500,000. The time required to build about one year. This reservoir would impound more than sufficient water to keep the 16" main flowing at its full capacity continously. My personal

preference is for this site. The dam could be built very much quicker and from past experience I am partial to the masonry arch dam. Such a dam requires no upkeep, no constant observation and is seemingly subject to no deterioration. The height is conservative. Some of the western dams exceed 300'.

The lower reservoir site on Bee Tree is located a few hunderd feet above the present intake. This dam would be 100' high and would impound 120 million gallons. Two designs have been considered. A straight earthen dam will cost $400,000. A concrete dam flanked with retaining walls and earth fills will cost $500,000. In the development of Asheville's water resources, I am of the opinion that this should be the last dam built.

OTHER WATER SUPPLY SOURCES

As the years go by the urban and rural population of Buncombe County are bound to increase many fold. As the Mt. Mitchell is preeminently the natural source of water supply from the west. The United States Government has set apart in perpetuity Pisgah Forest. The valley lying to the southeast of Pisgah, known as the Pink Beds and in which the South Fork of Mills River rises, affords a natural site for a lake. The catchment area approximates 10 square miles and a dam 100' high, build at the point where the river leaves the valley and enters the gorge, will form a lake of 700 acres, about 1½ times the size of the old Toxaway Lake. I surveyed the entire Pisgah Forest several years ago for the late George W. Vanderbilt and studied its water and power resources. For power sites the streams are of little worth; for city water supplies they are of inestimable value. Recently there has been considerable discussion of these resources and I have taken the precaution of making a priority claim for the City of Asheville for the Pink Beds site and for the Bent Creek site. I should consider it nothing short of a calamity to see either one of these sources used for purposes other than city supplies. Other cities realize the worth of pure water. The City of Los Angeles spent $25,000,000 and constructed an aqueduct and pipe line as far as from Asheville to Raleigh, tunneling through several mountain ranges - all for pure water. Asheville's supply is cheap and almost limitless.

METERS & GAUGES

The City of Asheville at this time is a prodigal taking no count of assets. In all the years that water has been used from North Fork no record has been kept of the rainfall on the watershed. Such information today would be priceless. No meter registers the quantity of water the pipes are delivering to the standpipe and reservoir. No meters record how much water goes out of the standpipe to the several sections of the City. No meter records how much water wastes to Cripple Creek. No one knows how much water Asheville is using. No one knows the hours of maximum demand and minimum demand. No one knows how much water is being used by institutions receiving free service.

I cannot too strongly recommend the installation of a meter on every outlet in the City of Asheville and that a careful record be kept of the quantity of water used by every consumer. I recommend further and still more emphatically that meters be put on the incoming lines and outgoing lines at the reservoirs and on the waste pipe to Cripple Creek. These meters should preferably be of the electric recording type, the recording instruments being installed in the water department or the City Engineer's office in the City Hall where the needles would be under constant observation and the charts changed daily or weekly.

Automatic rainfall gauges should be installed at both intakes and the records carefully preserved.

ZONING

Eventually it will be desirable to divide the City into three zones in order to equalize the pressure. The depot section should be fed from a reservoir lower in altitude than the existing reservoir on Town Mountain. The central portion of the City should be fed from the existing reservoir and the higher slopes of Sunset Mountain should be fed from a reservoir located on the top of Patton Mountain or some adjacent and higher peak. This reservoir is discussed in the next paragraph.

PATTON MOUNTAIN RESERVOIR

A 10" line extends from the standpipe to the Grove Park section. It is suggested that a reservoir be built on top of Patton Mountain (or nearby) and the 10" pipe extended to it. It is further suggested that this 10" pipe line be disconnected from the standpipe and that electrically driven pumps be installed and that the water now wasting from the standpipe and flowing down Cripple Creek be saved and pumped to the top of the Patton Mountain reservoir.

FUTURE CITY RESERVOIR

Five or ten years hence the indications point to the necessity of a reservoir at the Asheville end of the pipe lines which will hold 15 or 20 million gallons. In developing the water resources of the City this regulating reservoir should not be overlooked, but at this time need not be considered.

FRENCH BROAD RIVER WATER

In any discussion of the present and future water supply of the City of Asheville the use of the French Broad River water must be considered. Engineers from time to time have suggested that the waters of the French Broad be utilized, filtered, chemically treated and pumped to the present reservoirs. Such a system will be cheaper in first cost and will furnish water as pure as other cities get, and speaking generally, the annual cost for pumping will just about equal the interest and the sinking fund on the gravity system.

In presenting this final source, however, I wish it to be distinctly understood that I do not advocate it.

The recommendation of the Commissioner of Public Works that the City immediately proceed to issue $500,000. Water bonds, $215,000 Sewer, Water, Curbing, Sidewalk and Paving bonds, was, on motion, taken under advisement; the Mayor explaining that it was a matter for great consideration by the Board, meaning an increase in taxation of not less than 15 cents on the $100.00.

The application of a blind boy for permission to play a musical instrument on the streets of the city was, on motion, granted with the understanding that he play outside of the congested district and directly under the supervision and according to instructions of the Chief of Police.

A committee representing the promoters of the West Asheville colored park, appeared before the Board and requested that the City improve the street leading to said park and place additional lights in same.

It was suggested by the Board, that the parties interested make their request in writing in order that the Board might have a definite idea of just exactly what is desired.

The application of Mrs. T. Lee Collins for a license to operate and conduct a dance hall in the ballroom of the Langren Hotel and to teach dancing at 8 Pack Square was, on motion, referred to the Chief of Police, the Chief of the Fire Department and the Building Inspector for investigation and report in accordance with the provisions of the ordinance regulating the operation and licensing of dance halls in the city.

(Copy of Application)

TO THE HONORABLE MAYOR AND BOARD OF COMMISSIONERS:
OF THE CITY OF ASHEVILLE, NORTH CAROLINA:

I hereby make application for license to operate and conduct a dance hall in the ball room of the Langren Hotel for a period of one year. The said dance hall to be operated and conducted in compliance with City ordinance regulating public dance halls.

I also make application for a license to teach dancing at No 8 North Pack Square for a period of one year, in compliance with the said City ordinance regulating same. I desire to begin immediately

Respectfully submitted,

Mrs. T. Lee Collins.

The Chief of Police, the Chief of the Fire Department and the Building Inspector reported adversely on the application of the Roseland Gardens on Buffalo Street for a license to conduct a public dance hall.

On motion, the license requested was respectfully refused.

(Copy of Report)

July 8, 1922.

Hon. [illegible] Firzpatrick,
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:

After inspecting the Dance Hall known as "Rose Lawn Gardens" on Buffalo Street, we recommend that this license be not granted for the following reasons: There is only one exit to the building and the doors open inwardly and the electric wiring does not conform to the law, and upon investigation we find that this place is of bad reputation.

Respectfully submitted:

W. R. Messer
Chief of Police

A. L. Duckett
Chief Fire Department

F. F. Howell
Building Inspector.

The objection of the Buchanan heirs to the assessment charged against the property of said heirs on account of the paving of Valley Street was read to the Board and, on motion, ordered filed.

(Copy of Objection)

To the Mayor and Board of Commissioners of
the City of Asheville,

Gentlemen:

We, the heirs of the Buchanan Estate, do seriously object to any further payment on the cost of Valley Street.

First, and mainly because we gave the entire street, the old road was in branch, and when you or rather the city built Valley St. they came over on our side of the branch and took the land off of us. and assessed against us the cost of paying for the paving, even after we gave the land--which cost we just year before last finished paying.

We could have sold the land there at the corner for $5,000.

And so we seriously object and would deem it very unfair to us for you to ask from us any further payment, after you took off of us the entire street, to begin on. And made us pay for the paving besides. And we call it high injustice to be asked to pay again.

Very respectfully,

Buchanan Estate
J. W. Buchanan

Mr. Eugene Rankin will verify our having given the land for Valley St.- for he was there at the time.

Reports from the Plumbing Inspector, Building Inspector, Sealer of Weights and Measures, City Plumber and Playground Supervisor were read and, on motion, ordered filed.

On motion, the following building permits were granted:

Fred Below	1 Room	Pine Street	Estimated cost	$ 50.00
------Dixon	Shed	Valley Street	" "	16.00
Elliot Fox	7 room House	Flint Street	" "	7,000.00
M. V. Grady	Store	312 Southside Ave	" "	8,000.00
R. F. Hill	5 rooms House	Near Brownwood	" "	3,500.00
A. A. Ingal.	Repairs	Atkinson Street	" "	500.00
E. C. Johnson	12 room House	Merrimon Avenue	" "	17,000.00
W. B Nixon	2- 6 room Houses	Coleman Avenue	" "	5,000.00 each
W. H. Thomas	1 room & Porch	38 Virginia Avenue	" "	350.00
A. F. Tweed	7 room House	Forest Hill	" "	6,250.00

On motion, adjourned.

Secretary-Treasurer.

Monday, July 10, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Galloway, representing property owners on Harrison Street, appeared before the Board and called attention to the necessary of paving this street, stating that there were fifteen families on the street, all but two of them owning property and all of those owning property were willing and anxious to have the street improved at an early date.

On motion, this matter was taken under advisement; the Board agreeing to go over the ground and investigate condition in person.

A Mr. Guin, representing himself and other property owners on this street, appeared before the Board and asked for information as to whether or not the city expects to pave this street in the near future, if not, he requested that they be given some immediate temporary repairs, stating that the street at present was impassable in wet weather.

...der advisement, the Board assuring Mr. ... that his letter would be carefully considered with view of throwing Louisiana Avenue in this year's paving program.

The application of one C. C. Sparrow for license to operate a public dance h... at the intersection of West Chestnut Street and Madison Street was, on motion, re... to the Chief of Police, Chief of Fire Department and Building Inspector for ... and report.

(Copy of Application)

Asheville, N. C. July 10, 22.

To the Commissioner Board.

Dear Sir:

I have ... a dancing acca. on West Chestnut and Madison St. I want to file an application to operate a public dance hall, as above.

C. C. Sparrow.

The application of one Arthur E. Jeter for license to operate a public dance hall at 44 Market Street was, on motion, referred to the Chief of Police, Chief of Fire Department and Building Inspector for investigation and report.

(Copy of Application)

July 10, 1922

To the Honorable Mayor
and Board of City Commissioners,
Asheville, N. C.

Gentlemen:

I hereby apply to your Honorable Body for permission to operate a dance Hall at 44 Market Street.

Arthur E. Jeter.

Mr. Dale appeared before the Board and requested that the present sanitary sewer on Electric Street be extended from Columbia Street to Hubbard Street and across to Pierce Street.

Mr. Dale was informed that on account of the grade, it was impossible to extend the present sewer down Electric Street, however, he was referred to the City Engineer for full information.

The application of Mrs. ... that the city repair the washout in the driveway between ... and ... Chestnut Street and put in extra storm sewer necessary to carry the surface water, was, on motion, referred to the Commissioner of Public Works.

An application for the improvement of Craven Street between Smith's Bridge and Murphy Junction was, on motion, taken under advisement, the parties making the application being requested to file a petition covering the proposed improvement in accordance with the existing laws.

July 7th, 1922

To the Honorable Mayor and Commissioner of the
City of Asheville, N. C.

Gentlemen:

I beg to submit the following proposal for furnishing crushed stone on that part of Craven Street from Smiths Bridge to Murphy Junction.

We will deliver to the road-bed whatever crushed stone you may require, all sizes including dust, for the sum of($2.00) Two Dollars per cubic yard. This price we believe to be under cost to us and we hope same will receive your valued consideration.

Very respectfully yours,

Asheville Construction Company
Per- Sect & Treas.

One J. E. Brown, having filed bond, court record, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for a license to operate a public service automobile in the city was approved, and it was ordered that he be granted the license requested.

An ordinance authorizing the issuance of $200,000 bonds to provide funds for the purchase of lands for high ways within the city and for any necessary retaining walls therefor was presented to the Board and, on motion of Commissioner R. L. Fitzpatrick, duly seconded and unanimously adopted, passed on its first reading.

An ordinance authorizing the issuance of $250,000 bonds for the purchase of lands for a community and recreation centre was presented to the Board and, on motion of Commissioner R. L. Fitzpatrick duly seconded and unanimously adopted, passed on its first reading.

An ordinance authorizing the issuance of $550,000 park and playground bonds was presented to the Board and, on motion of Commissioner R. L. Fitzpatrick duly seconded and unanimously adopted, passed on its first reading.

On motion, the following building permits were granted:

Ernest Putnam	Bungalow House	271½ Flint Street	estimated cost	$6,000.00
F. W. Scott	4 room House	Southside Avenue	" "	500.00

On motion, adjourned

Secretary-Treasurer.

Tuesday, July 11, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion duly seconded and unanimously adopted, one J. S. Swanger was granted license gratis to run a wood and coal yard at the intersection of Haynesville Avenue and Craven Street.

This action taken in view of the age and physicial condition of the applicant.

A communication signed by Herbert D. Miles, chairman of the subscription committee of the proposed new commercial hotel, proposing that the hotel corporation deed to the city 27 feet of the property it now has on option in connection with deeding to the city 18 feet additional by Dr. H. H. Briggs in exchange for 20 feet off of the South side of the Auditorium property was read to the Board and, on motion, referred to the Engineering Department of the city for immediate investigation and report.

(Copy of Communication)

Asheville, N. C., June 13, 1922.

Hon. Board of City Commissioners,
Asheville, N. C.

Dear Sirs:

For the better consideration of yourselves and your engineer, we have thought well to set down our understanding of the proposal whereby the city will gain a new Street, and still help the enterprise for a new Commercial hotel,- this in connection with the property adjoining directly the City Auditorium building, as discussed with you by our committee.

First: The proposed Hotel corporation has now under option, one hundred feet of frontage upon Haywood Streetm next adjoining the Auditorium Out of this 100, it proposes to deed to the City, the South 27 feet, in conjunction with the similar deeding to the City of the 18 feet additional adjoining this 27, as per an agreement which has been made with Dr. H. H. Briggs, making a total of 45 feet frontage upon Haywood Street to be given up, and running in an easterly direction about 195 feet, from which point the same 45 feet width to be given to the City for a new Street, would turn directly in a northerly direction, running through to Hiawassee Street.

Second: In exchange for this above described Street, the City is asked to deed to the proposed Hotel corporation,- when and if the corporation and Dr. Briggs shall have complied with the above,- the southerly 20 foot strip out of the 25 foot of Haywood Street frontage now lying vacant between the line of the present Briggs property, and the walls of the Auditorium, and running in an easterly direction about 175 feet. But not less than ten, out of the said twenty feet, shall be left permanently open and unbuilt upon, and the Hotel corporation shall bind itself, its heirs and asigns, to that end. This must leave a permanent space, with the five feet to be retained by the City, of not less than fifteen feet between the walls of the proposed Hotel, and those of the Auditorium at the narrowest point, and establish a ten foot space between the two property lines even should the City at any time building up to its line.

For the Hotel Committee,

Herbert D. Miles

Chairman of Subscription Committee.

Judge J. D. Murphy appeared before the Board and requested that the Board pave Louisiana Avenue, Majestic Avenue and Dorchester Avenue with paving to consist of water bound macadam with top coat of asphalt 18 feet in width.

Judge Murphy stated that if the city would pave the streets named he would be willing to pay 6 per cent on the total cost of the work until May 5, 1925, and make a solvent bond, when at that time his property would be worth at least $150,000 thereby increasing the taxable value of same to that amount.

Mr. P. P. Walker endorsed Judge Murphy's remarks, calling attention specifically to the necessity of paving Majestic Avenue.

This matter, on motion, taken under advisement.

The City Engineer's report showing the total and pro-rata cost to property owners on account of the construction of a 6" and 8" pipe sanitary sewer on Fairfax Street was presented to the Board, and, on motion, ordered advertised in accordance with the existing laws.

NG--L

The City Engineer's report showing the total and pro-rata cost to property owners on account of paving Valley Street from College Street to Biltmore Avenue, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection.

Sheet Asphalt Paving — Date June 15th, 1925

[illegible] St. to Biltmore Ave.

Length [illegible]
Width 20x ft
Cost Lineal Ft. [illegible]
Cost Front Ft. [illegible]

[illegible] Yds @ [illegible] .62 — 16,198.06
Filing Act. — 2.00
Engineering — 68.25
Inspection — 68.00
3 % Interest — 490.09
— 16,826.40

The Asheville Paving Co. — $16,290.06
Property Owners' Part — 10,681.63
City's Part Paving — 6,144.77
16,826.40

Assessed Property Owners

Lot No.	Name	Feet	Price	Amt.
1	Wilson, Reynolds & Gentry	228	1,425	$324.90
34	Norman A. Calmer	200	"	285.00
35	J. A. Bradley	259	"	369.08
38	Stella Dobbins	24	"	34.20
39	" "	45	"	64.13
40	" "	45	"	64.13
41	Asheville Lodge United Order Fellows	67	"	95.48
142	M. Y. Angel	40	"	57.00
143	Ella Hadden Est.	45	"	64.12
143'	" " "	33	"	47.02
202	Alice Semple	35	"	49.87
203	Maggie Jones	50	"	71.25
204	J. A. Hicks	50	"	71.25

Lot No.	Name	Feet	Price	Amt.
	M. Slade	50	1.425	71.25
205	Castle Curry Car. Co.	50	"	71.25
206½	Noah Murrough	50	"	71.25
207	Ida V. McMinn	50	"	71.25
208	Laura Devin	50	"	71.25
209	" "	50	"	71.25
68	P. S. King	50	"	71.25
69	" " "	50	"	71.25
70	Lucius W. Williams	50	"	71.25
71	S. D. Mears	50	"	71.25
72	Celia Morris	346.3	"	493.48
73	St. Mathias Episcopal Church	95	"	135.38
155	City of Asheville	70.5	"	100.46
174	P. P. Walker	100	"	142.50
175½	" " "	50	"	71.25
176	Mrs. E. L. Brown	26.4	"	37.62
177	P. P. Walker & Carland	26.4	"	37.62
178	Mary Glasco	26.4	"	37.62
179	"	26.4	"	37.62
182	P. D. Walker & Carland	26.4	"	37.62
183	" " " " "	26.4	"	37.62
184	" " " " "	26.4	"	37.62
185	" " " " "	26.4	"	37.62
188	John E. & J. Leo Sugg	75	"	106.88
189	" " " " " "	87.95	"	116.78
190	Margaret J. Peters	806.85	"	1,149.76
304	Gaston Mears	205	"	292.13
343	Buchanan Est.	140	"	199.50
342	City of Asheville	37.61	"	53.59
341½	Frank Loughran	37.61	"	53.59
341	" "	32.73	"	46.64
340	" "	44.53	"	63.46
339	Maggie Lomax	50	"	71.25
338	Frank Laughran	50	"	71.25
337	Mary Glasco	50	"	71.25
332	" "	50	"	71.25
331	" "	50	"	71.25
330	" "	50	"	71.25
327	" "	50	"	71.25
326	" "	50	"	71.25
325	" "	50	"	71.25
322	Frank Laughran	50	"	71.25
321	" "	50	"	71.25
318	" "	50	"	71.25
317	" "	50	"	71.25
310	" "	50	"	71.25
309	" "	50	"	71.25
308	" "	50	"	71.25
307	Leonora Hill	56.6	"	80.65
26	Mrs. A. E. Hamilton	165	"	235.12
27	Asheville P. & L. Co.	147	"	209.48
28	W. H. Westall	99	"	141.08
29	Jennie McKesson	50	"	71.25
30	J. G. Stikeleather	29.6	"	42.18
31	" " "	40	"	57.00
32	" " "	40	"	57.00
32½	" " "	40	"	57.00
33	" " "	40	"	57.00
57	H. Shas	132	"	188.10
57½	W. S. Lee	50	"	71.25
66	J. T. Ridley	50	"	71.25
65	Jas. P. Moore	33	"	47.03
64	Haywood Parker	75	"	106.87
63	Jennie Ledbetter	59	"	84.08
61	Isaac Dickson	77	"	109.72
210	" "	35	"	49.88
215	Rena Armstead	60	"	85.50
214	Jas. Morris	96	"	136.80
218	Laura Devine	50	"	71.25
219	Sadie Simpson	50	"	71.25
223	J. W. Smith	45	"	64.12
224A	John Young	45	"	64.13
224	T. W. Patton	91	"	129.67
230	M. H. Kelly	100	"	142.50
231	Haywood Parker	45	"	64.13
232	" "	45	"	64.13
233	" "	75	"	106.87
235	Rebecca Fagan	60	"	85.50
236	C. T. Parker	47.8	"	68.12
237½	Rebecca Fagan	87.6	"	124.83
239	Clara Howard	72	"	102.60
240	Lillie V. Wilson	74	"	105.45
241	" " "	74	"	105.45
242½	Wm. P. Campbell	32	"	45.60
242	Anna Flack	43	"	61.27
246	E. G. & A. H. Carrier	350	"	498.75 — 10,681.63

B. M. Lee, City Eng.

The City Engineer's report showing the total and pro-rata cost to property owners on account of the construction of a 6" Pipe Sewer on Montana Avenue from State Street east 375 feet, having been advertised in accordance with law, liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection.

375 Ft. 6" Pipe	.17		62.90
Labor			164.85
9 bags Cement	.80		7.20
2200 Brick	16.00	per M.	35.20
Manhole Covers & Frames	(2) @ 7.45		14.90
Sand 2 yds	@ 1.30		2.50
Engineering			17.34
Advertising			20.00
			325.09

Assessed Property Owners

Lot No.	Name	Feet	Price	Amt.
193	E. V. Lanning	65	.58	37.70
192	Jennie Quivey	65	"	37.70
191	P. B. Orr	65	"	37.70
190	" " "	65.5	"	37.99
189	Bill Belmet	100	"	58.00
183	Spurgeon Almon	100	"	58.00
184	Arlene Drake	100	"	58.00
				325.09

A communication asking for certain street lights, sewer connections in the colored park in West Asheville and that the road leading to said park be put in good condition was read to the Board and, on motion, referred to the Commissioner of Public Works for investigation and report.

(Copy of Request)

Some of the Things to be considered to help in the improvement of the Colored Park at West Asheville.

I. We are asking for the extention of a good Road from Burton St. at the Colored School to the Park.

II. For more lights in the park.

III. For some swings for the amusement of the children.

IV. For Sewer line to put in two toilets.

Grove Park

West Asheville.

1,00

A Sworn statement of the Indebtedness made pursuant to Section 2943 of "The Municipal Finance Act, 1921" was presented by the Mayor-Commissioner of Public Accounts and Finances and, on motion duly seconded and unanimously adopted, the Financial Statement as presented was adopted and a copy of same ordered file with the Clerk for the information of any interested citizens or taxpayers.

Sworn Statement of Indebtedness made pursuant to Section 2943 of "The Municipal Finance Act, 1921", and filed with the Clerk after the introduction and before the final passage of the following ordinances:

" 'An Ordinance authorizing the issuance of $550,000 Park and Playground Bonds',

'An Ordinance authorizing the issuance of $250,000 bonds for the purchase of lands for a community and recreation centre',

'An Ordinance authorizing the issuance of $200,00 bonds to provide funds for the purchase of lands for highways within the city, and for any necessary retaining walls therefor' ".

"A" The Gross Debt

(1) Outstanding Debt incurred before Dec.6,1921 not evidenced by bonds			15,669.32
(2) Outstanding Bonded Debt:			
Water Bonds	790,000.00		
Sewer Bonds	318,000.00		
Fire Dept.Bonds	25,000.00		
Street Improvement Bonds	967,000.00		
School Bonds	1,167,500.00		
Market Bonds	35,000.00		
Incinerator Bonds	50,700.00		
Funding Bonds	523,000.00		
			3,876,200.00
(3) Bonded Debt to be incurred under ordinances passed or introduced:			
Park & Playground Bonds	550,000.00		
Lands for Highways	200,000.00		
Community and Recreation Centre	250,000.00		
			1,000,000.00

"B" Deductions

(1) Amount of unissued funding or refunding bonds included in Gross Debt		"none"	
(2) Amount of Sinking Funds or other funds held for the payment of any part of the Gross Debt other than debt incurred for water,gas,electric light or power purposes or two or more of said purposes:			
Cash		18,758.63	
Investments		37,950.00	
			56,708.63
(3) The amount of uncollected Special Assessments heretofore levied on account of local improvements for which any part of the Gross Debt was or is to be incurred, which will be applied when collected to the payment of any part of the Gross debt			184,449.08

(4) The amount as estimated by the City Engineer of Special Assessments to be levied on account of local improvements for which any part of the Gross Debt was or is to be incurred and which when collected will be applied to the payment of any part of the Gross debt			125,000.00
(5) The amount of Bonded Debt included in the Gross Debt and incurred or to be incurred for water, gas, electric light or power purposes or two or more of said purposes			790,000.00
			[illegible]
	4,891,869.32		4,891,869.32
"D" The assessed valuation of property as last fixed for municipal taxation			55,003,783.00
"E" The percentage that the net debt bears to said assessed valuation	6.79%		
"E-1" Debt Limit 8% of	55,003,783.00		4,400,302.64
Net Debt		3,735,711.61	
		[illegible]	
		4,400,302.64	4,400,302.64

Dated this _____ day of _____, 1922.

Gallatin Roberts

Mayor-Commissioner of Public Accounts and Finances.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

Gallatin Roberts, being duly sworn, deposes and says that he is Mayor-Commissioner of Public Accounts and Finances of the City of Asheville, North Carolina, and the chief financial officer of said municipality, and that the foregoing statement is true and was made and subscribed by him after the introduction and before the final passage of the ordinances referred to in the caption of said statement

Gallatin Roberts

Sworn to and subscribed before me on the day of the date of said statement.

Susan Zennell

Notary Public

My commission expires on the 11th day of July 1923.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, North Carolina, do hereby certify that the foregoing statement and accompanying affidavit were filed in my office on the day of the date of said statement after the introduction and before the passage of the ordinances referred to in the caption of said statement.

In witness whereof, I have hereunto set my hand and affixed the seal of said municipality this the _____ day of _____ 1922.

_____

Secretary-Treasurer.

An ordinance authorizing the issuance of $200,00 bonds to provide funds for the purchase of lands for highways within the city and for any necessary retaining walls therfor was presented to the Board and, on motion duly seconded and unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and was declared effective after ratification by the qualified voters of the City of Asheville as provided under Section 5 of said ordinance.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $200,000. BONDS TO PROVIDE FUNDS FOR THE PURCHASE OF LANDS FOR HIGHWAYS WITHIN THE CITY AND FOR ANY NECESSARY RETAINING WALLS THEREFOR.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the purchase of lands for highways within the City and for any necessary retaining walls therefor.

Section 2. That the maximum aggregate principal amount of said bonds shall be $200,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Municipality has been filed with the clerk, pursuant to said act, and is open to public inspection.

Section 5. That this ordinance shall take effect when approved by the voters of the Municipality at an election as provided in said act.

I move the adoption of the foregoing ordinance, this the 10th., day of July, 1922.

R. L. FITZPATRICK
Commissioner.

Approved as to form:

GEO PENNELL
Corporation Counsel.

The foregoing ordinance was passed on the 11th., day of July, 1922, and was first published on the [illegible]th., day of July, 1922.

Any action of proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

_____
Secretary-Treasurer.

An ordinance authorizing the issuance of $250,000. bonds for the purchase of lands for a community and recreation centre was presented to the Board and, on motion duly seconded and unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and was declared effective after ratification by the qualified voters of the City of Asheville, as provided in Section 5, of said ordinance.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $250,000. BONDS TO ... PURCHASE OF LANDS ... COMMUNITY ... RECREATION CENTRE.

BE IT ORDAINED ... ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the purchase of land for a community and recreation centre and the erection thereon of the necessary or proper buildings, such centre to be used for public gatherings, for information, discussion, recreation and amusement.

Section 2. That the maximum principal aggregate amount of said bonds shall be $250,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Municipality has been filed with the clerk, pursuant to said Act, and is open to public inspection.

Section 5. That this ordinance shall take effect when approved by the voters of the Municipality at an election as provided in said Act.

I move the adoption of the foregoing ordinance, this the 10th., day of July, 1922.

R. L. FITZPATRICK
Commissioner.

Approved as to form:

GEO PENNELL
Corporation Counsel.

The foregoing ordinance was passed on the 11th., day of July, 1922, and was first published on the 12th., day of July, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

Secretary-Treasurer.

An ordinance authorizing the issuance of $550,000 park and playground bonds was presented to the Board and on motion duly seconded and unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and was declared effective after ratification by the qualified voters of the City of Asheville, as provided in Section 5, of said ordinance.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $550,000. PARK AND PLAYGROUND BONDS.

BE IT ORDAINED ... ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the purchase of lands for public parks, including playgrounds, and the erection thereon of the necessary buildings.

Section 2. That the maximum aggregate principal amount of said bonds shall be $550,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Municipality has been filed with the clerk, pursuant to said Act, and is open to public inspection.

Section 5. That this ordinance shall take effect when approved by the voters of the Municipality at an election as provided in said Act.

I move the adoption of the foregoing ordinance, this the 10th., day of July, 1922.

R. L. FITZPATRICK
Commissioner.

Approved as to form:

GEO PENNELL
Corporation Counsel.

The foregoing ordinance was passed on the 11th., day of July, 1922, and was first published on the 12th., day of July, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

F. L. COMER
Secretary-Treasurer.

A resolution calling a special election for the purpose of submitting to the qualified voters of the City [illegible] the questions of ratifying or rejecting [illegible] calling ordinances, adopted July 11th, 1922, viz:

" 'An ordinance authorizing the issuance of $550,000. Park and Playground bonds'.

'An Ordinance authorizing the issuance of $250,000 bonds for the purchase of lands for a community and recreation center.'

'An ordinance authorizing the issuance of $200,00. bonds to provide for the purchase of lands for highways within the city and for any necessary retaining walls therefor'. "

was presented to the Board and on motion duly seconded unanimously adopted.

[illegible] SPECIAL ELECTION FOR [illegible] QUALIFIED [illegible] ASHEVILLE THE QUESTIONS [illegible] RATIFYING EACH OF THE FOLLOWING ORDINANCES, ADOPTED JULY 11th, 1922, viz:

" 'AN ORDINANCE AUTHORIZING THE ISSUANCE OF $550,000. [illegible] BONDS.'

'AN ORDINANCE AUTHORIZING THE ISSUANCE OF $250,000. BONDS TO PROVIDE FOR THE PURCHASE OF LANDS FOR A COMMUNITY AND RECREATION CENTER.

'AN ORDINANCE AUTHORIZING THE ISSUANCE OF $200,000. BONDS TO PROVIDE FOR THE PURCHASE OF LANDS FOR HIGHWAYS WITHIN THE CITY AND FOR ANY NECESSARY RETAINING WALLS THEREFOR. ' "

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BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That a Special Election be called to be held in the City of Asheville, North Carolina, on the 22nd day of August A. D. 1922 for the purpose of submitting to the qualified voters of said city, the questions of ratifying or rejecting each of the following Ordinances adopted July 11th. 1922, viz:

" '
AN ORDINANCE AUTHORIZING THE ISSUANCE OF $550,000. [illegible] BONDS.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the purchase of land for public works, including playgrounds, and the erection thereon of the necessary buildings.

Section 2. That the maximum aggregate principal amount of said bonds shall be $550,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Municipality has been filed with the Clerk pursuant to said Act, and is open to public inspection.

Section 5. That this Ordinance shall take effect when approved by the voters of the Municipality at an election as provided in said Act.

The foregoing Ordinance was passed on the 11th day of July, 1922 and was first published on the 12th day of July, 1922.

Any action or proceeding questioning the validity of said Ordinance must be commenced within thirty days after its first publication. '

[illegible]

= = = = = = = = = = = = =

BE IT ORDAINED BY THE [illegible]:

Section 1. That [illegible] of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the purchase of land for a community and recreation centre and the erection thereon of the necessary or proper buildings, such centre to be used for public gatherings, for information, discussion, recreation and amusement.

Section 2. That the maximum principal amount of said bonds shall be $250,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Municipality has been filed with the clerk, pursuant to said Act, and is open to public inspection.

Section 5. That this Ordinance shall take effect when approved by the voters of the Municipality at an election as provided in said Act.

The foregoing Ordinance was passed on the 11th day of July, 1922 and was first published on the 12th day of July, 1922.

Any action or proceeding questioning the validity of said Ordinance must be commenced within thirty days after its first publication.'

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'AN ORDINANCE AUTHORIZING THE ISSUANCE OF $200,000. BONDS TO PROVIDE FOR THE PURCHASE OF LANDS FOR HIGHWAYS WITHIN THE CITY AND FOR ANY NECESSARY RETAINING WALLS THEREFOR.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the purchase of lands for highways within the City and for any necessary retaining walls therefor.

Section 2. That the maximum aggregate principal amount of said bonds shall be $200,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the Municipality has been filed with the Clerk, pursuant to said Act, and is open to public inspection.

Section 5. That this Ordinance shall take effect when approved by the voters of the Municipality at an election as provided in said Act.

The foregoing Ordinance was passed on the 11th day of July, 1922 and was first published on the 12th day of July, 1922.

Any action or proceeding questioning the validity of said Ordinance must be commenced within thirty days after its first publication. ' "

Section 2. That said election shall be held at the following polling places in each precinct:

Precinct #1.	County Garage
Precinct #2.	High School
Precinct #3.	County Court House Lobby
Precinct #4.	Orange Street School
Precinct #5.	McMahon Motor Co., E. Lexington Ave.
Precinct #6.	Auditorium Office.
Precinct #7.	Montford Avenue School.
Precinct #8.	Haywood Garage, Haywood Street.
Precinct #9.	Park Avenue School.
Precinct #10.	Murray Hill School.
Precinct #11.	Ashland Avenue School.
Precinct #12.	Depot Street Bryan Hotel Building.
Precinct #13.	West Asheville School.
Precinct #14.	Band Stand, Haywood Road, West Asheville
Precinct #15.	Fairchild's Garage, Haywood Road, West Asheville.

Section 3. [illegible] shall be a new registration of voters for the purpose of said election, the books to be opened on [illegible] to be closed on August 1sth, 1922, the said books to remain open in each precinct from 9 o'clock A. M. to 6 o'clock P. M. each day except Sundays and holidays, for the period beginning July 25th, 1922 and ending August 1st, 1922.

Provided, that said books shall be open at the polling places in said precincts each Saturday during the registration period.

Section 4. That the following persons, all being qualified voters of the city, are hereby appointed registrars and judges of election for each precinct, and the Secretary-Treasurer is hereby authorized and instructed to cause publication of the appointments to be made at the Court House door and notice to be served on said persons of their appointment, and of said city.

First Precinct: Registrar W. M. McDowell — Judges: W. C. Britt; W. H. Lassater

Second Precinct: Registrar L. P. Ramsey — Judges: A. G.Barnett; Virgil C.Beachboard

Third Precinct: Registrar: B. F. Matthews — Judges: Robert Smith; Ollie Wolfe

Fourth Precinct: Registrar: Carl B. Hyatt — Judges: Eugene Ward; Fred Sales

Fifth Precinct: Registrar: Miss Ollie Lyda — Judges: John Cathey; James Moore

Sixth Precinct: Registrar: Mrs. J. R. Woodall — Judges: J. K. Bell; Mrs.Geo.M.Pritchard

Seventh Precinct: Registrar: Mrs.C.G.Marlitt — Judges: Silmer Welch; Vono Gudger

Eighth Precinct: Registrar: Mrs. Eugene Gudger — Judges: D.S.Elias; Chas A. Jones

Ninth Precinct: Registrar: Earl Eller — Judges: Burgin Pennell; Thos. P. Pruitt

Tenth Precinct: Registrar: Claud Davis — Judges: Ed Gordon; Geo. E. Lee

Eleventh Precinct. Registrar: W. E. Waters — Judges: Chas. Fortune; J. T. Adams

Twelfth Precinct: Registrar: T. O. Pangle — Judges: R. L. Mull; W.B.Birmingham

Thirteenth Precinct: Registrar: Zeb A. Shipman — Judges: H. P. Posey; Dr. J.G.Anderson

Fourteenth Precinct: Registrar: Mrs.Ralph Hollingsworth — Judges: J. A. Banks; W. M.Worley

Fifteenth Precinct: Registrar: Mrs. W. B. Hobson — Judges: Mrs. R. M. Wells; Hugh Sowers

Section 5. That before entering upon their duties, the above named officers shall take an oath before some person duly authorized to administer same, to conduct the election fairly and impartially according to the Constitution and Laws of the State.

Section 6. That a notice of said registration and said election shall be given by the said Secretary-Treasurer by publishing the same, with full copy of ordinances to be voted upon authorizing the above bonds, in the Asheville Citizen, Asheville Times and Labor Advocate, newspapers published in the City of Asheville, said notice of said new registration to be published on or before July 12th 1922, said notice of said election to be published on or before August 1st, 1922.

I move the adoption of the foregoing resolution, this the 11th day of July, 1922.

"R. L. FITZPATRICK"
Commissioner.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE.

I, F. L. Conder, Secretary-Treasurer of the City of Asheville hereby certify that the foregoing resolution was unanimously adopted by the Board of Commissioners in regular session assembled, on July 11th. A. D. 1922.

F. L. CONDER
Secretary-Treasurer.

A resolution calling a special election for the purpose of submitting to the qualified voters of the City of Asheville, the question of ratifying or rejecting the ordinance adopted by the Board of Commissioners on the 15th day of April, A. D., 1922, providing for the appointment of a City Planning and Improvement Commission to be composed of the Mayor-Commissioner of Public Accounts and Finances, the Commissioner of Public Works, the Commissioner of Public Safety, and their successors in office together with the following named citizens: to-wit: George Stephens, Curtis Bynum, D. Hiden Ramsey, A. G. Barnett, and Harry Parker, the said Planning and Improvement Commission to be delegated with full power and authority in the expenditure of all of the proceeds of the $550,000 Park and Playground Bonds, the $250,000. Community and Recreation bonds, and the $200,000 Highway Bonds was presented to the Board and on motion duly seconded unanimously adopted.

A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF ASHEVILLE, THE QUESTION OF RATIFYING OR REJECTING THE ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS ON THE 15th. DAY OF APRIL, A. D., 1922, PROVIDING FOR THE APPOINTMENT OF A CITY PLANNING AND IMPROVEMENT COMMISSION TO BE COMPOSED OF, THE MAYOR-COMMISSIONER OF PUBLIC ACCOUNTS AND FINANCES, THE COMMISSIONER OF PUBLIC WORKS, THE COMMISSIONER OF PUBLIC SAFETY AND THEIR SUCCESSORS IN OFFICE TOGETHER WITH THE FOLLOWING NAMED CITIZENS, TO-WIT: GEORGE STEPHENS, CURTIS BYNUM, D. HIDEN RAMSEY, A. G. BARNETT, AND HARRY PARKER, THE SAID PLANNING AND IMPROVEMENT COMMISSION TO BE DELEGATED WITH FULL POWER AND AUTHORITY IN THE EXPENDITURE OF ALL OF THE PROCEEDS OF THE $550,000. PARK AND PLAYGROUND BONDS, THE $250,000. COMMUNITY AND RECREATION CENTRE BONDS AND THE $200,000. HIGHWAY BONDS.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That a special election be called to be held in the City of Asheville, North Carolina, on the 22nd day of August, A. D., 1922, for the purpose of submitting to the qualified voters of said city, the question of ratifying or rejecting the following Ordinance adopted by the Board of Commissioners on the 15th day of April, A. D., 1922, viz:

"An Ordinance providing for the appointment of a City Planning and Improvement Commission to be composed of the Mayor-Commissioner of Public Accounts and Finances, the Commissioner of Public Works, the Commissioner of Public Safety, and their successors in office, together with the following named citizens, to-wit: George Stephenes, Curtis Bynum, D. Hiden Ramsey, A. G. Barnett and Harry Parker, the said planning and improvement commission to be delegated with full power and authority in the expenditure of all of the proceeds of the $550,000. Park and Playground Bonds, the $250,000. Community and Recreation Centre Bonds and the $200,000. Highway Bonds."

Section 2. That said election shall be held at the following polling places in each precinct:

Precinct #1. County Garage
Precinct #2. High School
Precinct #3. County Court House Lobby
Precinct #4. Orange Street School
Precinct #5. McFadden Motor Co., N. Lexington Ave.
Precinct #6. Auditorium Office
Precinct #7. Montford Avenue School
Precinct #8. Haywood Garage, Haywood Street
Precinct #9. Park Avenue School
Precinct #10. Murray Hill School
Precinct #11. Ashland Avenue School
Precinct #12. Depot Street Bryan Hotel Building
Precinct #13. West Asheville School
Precinct #14. Band Stand, Haywood Road West Asheville.
Precinct #15. Fairchild's Garage, Haywood Road West Asheville

Section 3. That there shall be a new registration of voters for the purpose of said election, the books to be opened on July 24th, 1922 and to be closed on August 12th, 1922, the said books to remain open in each precinct from 9 o'clock A. M. to 6 o'clock P. M. on each day except Sundays and holidays for three weeks, beginning on July 24th, 1922 and ending on August 12th, 1922.

Provided that said books shall be open at the polling places in said precincts on each Saturday during the registration period.

Section 4. That the following persons, all being qualified voters of the city are hereby appointed registrars and judges of election for each precinct, and the Secretary-Treasurer is hereby authorized and instructed to cause publication of said appointments to be made at the Court House Door in said City, and cause a notice to be served on said persons by the Chief of Police of said city.

First Precinct: Registrar	W. M. McDowell	Judges	W. C. Britt W. H. Lassater
Second Precinct Registrar	L. P. Ramsey	Judges	A. G. Barnett Virgil C. Beachboard.
Third Precinct Registrar	B. F. Matthews	Judges	Robert Smith Ollie Wolfe
Fourth Precinct Registrar	Carl B. Hyatt	Judges	Eugene Ward Fred Sales
Fifth Precinct Registrar	Miss Ollie Lyda	Judges	John Cathey James Moore
Sixth Precinct Registrar	Mrs. J. R. Woodall	Judges	J. K. Bell Mrs. Geo. M. Pritchard.
Seventh Precinct: Registrar,	Mrs. C. C. Marlitt	Judges	Gilmer Welch Vond. Gudger
Eighth Precinct: Registrar,	Mrs. Eugene Gudger	Judges	D. L. Elias Chas A. Jones
Ninth Precinct: Registrar,	Earl Eller	Judges	Burgin Pennell Thomas P. Pruitt
Tenth Precinct: Registrar,	Claud Davis	Judges	Ed Gordon Geo. E. Lee
Eleventh Precinct: Registrar,	W. E. Waters	Judges	Chas Fortune J. T. Adams
Twelfth Precinct: Registrar,	T. O. Pangle	Judges	R. L. Mull E. B. Birmingham
Thirteenth Precinct: Registrar,	Zeb A Shipman	Judges	H. P. Poney Dr. J.C. Anderson
Fourteenth Precinct: Registrar,	Mrs. Ralph Hollingsworth	Judges	J. A. Banks W. M. Worley
Fifteenth Precinct: Registrar,	Mrs. M. B. Hobson	Judges	Mrs. P. M. Wells Hugh Sewers

Section 5. That before entering upon their duties, the above named officers shall take an oath before some person duly authorized to administer same, to conduct the election fairly and impartially according to the Constitution and Laws of the State.

Section 6. That a notice of said registration and said election shall be given by the said Secretary-Treasurer by publishing the same, with full copy of ordinances to be voted upon authorizing the above bonds, in the Asheville Citizen, Asheville Times and Labor Advocate, newspapers published in

the City of Asheville, said notice of said new registration to be published on or before July 12th, 1922 and said notice of said election to be published on or before August 1st, 1922.

I move the adoption of the foregoing resolution, this the 11th day of July, 1922.

R. L. FITZPATRICK
Commissioner.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE)
CITY OF ASHEVILLE.)

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, Hereby certify that the foregoing resolution was unanimously adopted by the Board of Commissioners in regular session assembled, on July 11th, A.D. 1922.

F. L. CONDER
Secretary-Treasurer.

A communication from the Corporation Counsel enclosing a copy of the milk ordinances of the City of New York and calling attention that the matter of the sale of Klim Milk in the City of Asheville should go to the Health Department was read to the Board and it was, on motion, ordered that this matter be referred to the City Health Officer and the Corporation Counsel for advise as to whether or not the Plim Product complies with the milk ordinance of said city.

(Copy of Communication)

July 8, 1922.

To the Honorable Mayor and Board
of City Commissioners,
Asheville, N. C.

Gentlemen:

In re: Application of Merrell-Soule
Corporation -permit to sell Klim

I am transmitting herewith copy of milk ordinance of the City of New York, also a certificate of the Director of the Health Department of said City.

With reference to the application of the Company afore-mentioned, which has been referred to me for legal opinion, I suggest that this is now a matter for the Health Department to pass a question of fact as to whether this product complies with the requirements of the milk ordinance of the City of Asheville. If I can be of any assistance to this Department in making a comparative study of the ordinance of the City of New York and our ordinance, I am at their command.

Very respectfully,

Geo Pennell,

Corporation Counsel.

File No. 6
Letters [illegible]

The complaint of W. L. Douglas, proprietor of the Auto Lunch, that the said lunch [illegible] rated too high in the Special Tax Ordinance [illegible], on motion, referred to the Tax Collector for investigation and report.

[illegible] duly seconded and unanimously [illegible], it was [illegible] that the action of the City Electrician in ordering two 250 C. P. [illegible] lamps installed on the grounds [illegible] located the bandstand near the intersection of Haywood Road and Hanover Street, be approved.

[illegible] further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Wednesday, July 12, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

Attorney Spears Reynolds, representing Lewis W. Hale, L. L. Rhoads and W. J. Tribble, appeared before the Board and filed claim for damages in the case of Lewis W. Hale for $5[illegible].00, in the case of L. L. Rhoads for $2500.00, in the case of W. J. Tribble for $2500.00 on account of alleged personal injuries sustained by said parties in an automobile accident at the intersection of Southside Avenue and Choctaw Street on the night of the 28th of June, 1922; said accident alleged to have been due to the failure of the City in not placing or stationing the proper lights at said point to give warning of excavation and removal of the bitulithic pavement by said city.

This matter, on motion, referred to the Commissioner of Public Works and the Corporation Counsel for investigation and report.

(Copy of Claim)

July 11th, 1922.

Honorable Mayor and Board of City Commissioners,
Asheville, N. C.

Sirs:

The undersigned, Lewis W. Hale, L. L. Rhoads, by his next friend W. H. Rhoads, and W. J. Tribble, beg leave, and by this letter, give notice that on the night of the 28th day of June, at about the hour of 11 p. m., these complainants were injured in an automobile accident, at the intersection of Southside Avenue and Choctaw Street; that the cause of said accident was due to the failure of the City of Asheville, its agents or employees, in not placing or stationing, the proper lights to give warning at said point, where the said City is excavating and removing the bitulitic pavement, preparatory to repaving Southside Avenue. That your complainant, Lewis W. Hale, at the time of said accident, received severe bodily bruises and injuries, and the machine in which he was driving being also injured and damages, all in the sum of $500.00 Dollars

That your complainant, L. L. Rhoads, received severe bodily injuries and bruises, together with his left arm being broken at a point near the wrist, all in the sum of $2500.00 Dollars.

That your complainant, W. J. Tribble, received severe and painful bodily injuries and bruises, with a dangerous scalp wound, all in the sum of $2500.00 Dollars damages.

It is requested that your Honorable body take this matter up at once, and give us your reply to same.

Very truly yours,

"Lewis W. Hale"
"L. L. Rhoads, by next friend
"W. H. Rhoads", and
" W. J. Tribble".

By Attorneys for complainants

Reynolds, Reynolds & Howell
by Geo S. Reynolds.

Judge [illegible] stated that one of his clients, Mrs. Jack Garrison, [illegible] Grand Hotel located on Patton Avenue, wished to enter [illegible] that he was being persecuted by the Police Department, that her hotel [illegible] several times recently causing her to lose patronage, and otherwise [illegible] her business.

Judge [illegible] stated that in behalf of his client he wished to ask that [illegible] if any crime that she be arrested and tried and if not that the Police Department stop [illegible] her.

[illegible] matter, on motion, was taken under advisement.

Attorney Shepherd, representing the proprietor of the Mountain View Home, a charitable institution maintained for the benefit of the colored race in the City appeared before the Board requesting that the members of the Board individually endorse their work at said institution, setting out in said endorsement that said institution is working in a worthy cause to which contributions should be made by the citizens of the community.

[illegible]

One Noel Marrough, representing the colored churches of the city, appeared before the Board [illegible] permission for the colored children of the city to have a parade on August 4th in connection with the colored Sunday School Convention to be held in the city on that date.

[illegible], the permission requested was granted

The request of said Noah Marrough for the construction of a concrete sidewalk in front of the colored church on College Street was, on motion, taken under advisement for further consideration of the Board.

The Chief of Police, the Building Inspector and the Chief of the Fire Department reporting adversely on the application of one C. C. Sparrow to conduct a dance hall at the intersection of West College and Madison Street, on motion, it was ordered that the license requested be respectfully refused.

(Copy of Report)

July 11, 1922.

Hon. P. L. Fitzpatrick,
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:

After having inspected the building at the intersection of West Chestnut and Madison Streets, we recommend that the permit be not granted for C. C. Sparrow to conduct a dance hall, inasmuch as we do not consider this a proper location for a dance hall, and the majority of the best colored people in that section do not want it on account of the disturbance it will cause; also the dressing rooms are not connecting and the law says they must be separate.

Yours truly,

W. F. Messer
Chief of Police

Building Inspector

A. L. Buckett
Chief of Fire Department

The Chief of Police, Building Inspector and Chief of Fire Department reporting favorably on the application of Mrs. T. Lee Collins for license to conduct a dance hall at the Lakeren Confection, on motion, it was ordered that the license requested be [illegible].

(Copy of Report)

July 11, 1922.

Hon. P. L. Fitzpatrick,
Commissioner of Public Safety,
Asheville, N. C.

Dear Sir:

After having inspected the Lakeren Roof Garden, we hereby recommend that permit be granted for license to conduct public dance hall there; if there is a back stairway constructed, which the owners promise will be complete at 3 o'clock this afternoon.

Yours respectfully,

W. F. Messer
Chief of Police Department

F. F. Howell
Building Inspector

A. L. Buckett
Chief Fire Dept.

Attorney R. R. Williams, representing Mr. Harvey Hester, appeared before the Board and asked permission for his client to park a sight seeing buss to be operated by him immediately in front of the Nichols Shoe Store, North East Pack Square, not exceeding twenty minutes at any one time.

Mr. Williams presented to the Board communications from the proprietors of all the business houses immediately in front of which it is proposed to park said busses, to the effect that they were perfectly willing that the said buss park in front of their places of business.

In connection with the application, Mr. Williams stated that this bus would undoubtedly prove of immediate benefit in the way of advertising for the City of Asheville and Mr. Harvey Hester, the owner, presented to the Board a series of lectures to be given in connection with the operation of the buss.

Colonel Cohen and Messrs. S. Sternberg and W. A. Patterson also spoke advocating the granting of the permission requested, all of them stating that in their opinion the buss would undoubtedly prove a wonderful advertisement to the city.

After some discussion, the Commissioner of Public Safety offered an ordinance entitled: "An Ordinance regulating the parking of public service automobiles or automobiles offered for hire whether by the trip, hour or day, and sight seeing busses, on the public squares, public streets, public highways and public alleys of the city of Asheville", which he stated would allow Mr. Hester the privilege he desired and also eliminate certain objectionable features in connection with the present rules and regulations of parking on Pack Square.

On motion duly seconded, the ordinance as offered, was passed on its first reading.

The Commissioner of Public Works requested that the Board inspect the right of way for the Glendale sewer in person.

On motion, the request of the Commissioner of Public Works was granted and the Board agreed to go over the ground in person.

On motion, the following building permit was granted:

Donahue & Towns	Build Dwelling	66 Pearson Drive	Estimated cost	$ 4,000.00

On motion, adjourned.

Secretary-Treasurer.

...day, June 13, 1922. 11 o'clock, A. M.

...regular session, Mayor Roberts presiding. ...approved.

...property owners on Harrison St. appeared before ...perfectly willing that the street be widened ...the money necessary to pay the cost of ...

...Director of Public Works it was ordered, on ...City Engineer with the request that he ...with a plat showing the abutting property on this street also with an estimate ...of the cost of ...street.

...Gateway: Fred Sales, Jr., representing the Overland Sales Company ...the Gateway Co., appeared before the Board. Mr. Sales stating that his client "the Overland Sales Company ...sell its property abutting on Market Street to the Gulf Refining Company provided the Board would give the said concern some assurance that the street would be ...in the near future.

Attorney Kitchin ...the Gulf Refining Company introduced Mr. Cooper of said company. He explained that at the present time the street was opened to a width of 30 feet except the end next to ...which 66 feet had been condemned and he asked for assurance from the Board that the street would be opened its entire width and paved this summer.

On motion, this matter was taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

Messrs. J. G. Stikeleather, Ellis, F. A. Allen and Attorney R. R. Williams appeared before the Board and opposed the action of the Board in passing the ordinance allowing the ...sight seeing busses to ...Pack Square for a period of twenty ...minutes. Each of the gentlemen stated, in their opinion, the ordinance would not be ...in a discriminatory manner in view of the fact that the sight seeing busses is in a class by itself, it being run on regular schedule and would unquestionably do a ...deal to advertise the city. They also called attention to the fact that the nature of the business was such as to demand a prominent place in which to receive and discharge passengers.

Mr. ... suggested that the proposed ordinance be amended so as to permit ...sight seeing service automobiles on South Pack Square between the entrance to the Public Library and Biltmore Avenue.

After some discussion, during which the Commissioner of Public Works stated that in view of Mr. Jackson's request he thought it a good idea that the ordinance be ...investigated and the Mayor stated that, in his opinion, the proposed ordinance was a discrimination against other kinds of business of the same character, the presence of the proposed ... motion, taken under advisement.

With reference to the ... for permission to sell Klim Products within the City of Asheville, the City Health Officer appeared before the Board and reported that he had thoroughly investigated the ... in question and had found that said product was ...ed as dried ... York health ordinance and that Class B products ...products together with ... could not be used by children therefore Klim ...which did not comply with the requirements of the ordinance.

Dr. ... stated that the Health Department is making a determined effort to ...pasteurize milk products in the city and in view of the fact that the Klim products did not meet the requirements of the ... ordinance, he would recommend that the sale of same be prohibited.

The Corporation Counsel ... called upon stated that if the products in question were found by the Health Officer to not comply with the requirements of the city ordinance, in his opinion, the sale of same should be prohibited.

After some discussion, ... motion of the Commissioner of Public Works, duly seconded and unanimously adopted, it was ordered that at the request of the Merrell-Soule Sales Corporation to sell klim products within the City of Asheville be refused.

Mr. Herbert D. Miles submitted a map or plat showing in detail the land the promoters of the new Commercial ... wish to secure from the city, which was, on motion, referred to the City Engineer ... information in connection with his investigation of this matter.

The applications of L. F. McIntyre and E. C. Young for a license to drive public service automobiles in the City of Asheville, on motion duly seconded and unanimously adopted, refused, due to the criminal records of the applicants.

On ... E. Jenkins, having filed bond, ... certificate and ...ications, as required under the ordinance regulating public service automobiles in the city, and all papers being approved, his application for a chauffeur's license to operate a public service automobile in the city was approved, and it was ordered that he be ...ted the license requested.

...report of the Corporation Counsel setting out the fact that from his investigation he is of the opinion that Mr. S. M. Culpepper would be liable for a special license tax imposed upon persons, firms or corporations engaged in operating or conducting gift enterprises was read to the Board.

In view of the advice of the Corporation Counsel, it was ordered, on motion, that S. M. Culpepper be required to pay the special license tax imposed if he desires to conduct a gift enterprise or engage in the business explained to the Board.

(Copy of report)

July 13, 1922.

To the Honorable Mayor and
Board of City Commissioners,
Asheville, N. C.

Gentlemen: In re: S. M. Culpepper application for special license tax.

In reply to your communication of the 10th instant requesting legal opinion as to whether the above-mentioned party is subject to a special license tax on the business which he desires to operate within the corporate limits of the City. Accepting the statement of facts to be correct, as contained in the letter afore-mentioned, I advise you that in my opinion this gentleman would be liable for the special license tax imposed upon persons, firms or corporations engaged in operating or conducting a gift enterprize.

Yours respectfully,

... Parrell

Corporation Counsel.

The application of O. C. Groce for license to operate a public dance hall in Groce Park (colored) West Asheville was, on motion, referred to the Chief of Police, Building Inspector and Chief of Fire Department for investigation and report.

On motion, the Mayor was authorized to issue a voucher in favor of Howerton & Tirsway for $7,199.62 to apply on the contract for the installation of certain water mains in the City of Asheville. This in accordance with City Engineer's estimate of July 10, 1922.

On motion, the following building permits were granted:

Frank Bradford	4 Room Dwelling	Short Rankin St.	Estimated cost	$	1,200.00
Jack T. Ducker	Repairs	502 W. Haywood St.	"	"	200.00
Tony Momino	2 Garages	161 Charlotte St.	"	"	180.00

On motion, adjourned.

Secretary-Treasurer

File No. 40
Letters 1922

July 13, 1922-- 4:20 o'clock, P. M.

The Board of Commissioners met in special session; Mayor Gallatin Roberts presiding, all members present and participating.

An ordinance prohibiting any person, firm or corporation driving or walking over, entering upon, passing, crossing or in any manner travelling over or upon any street, sidewalk or alley in the City of Asheville closed for the purpose of construct repairing, re-paving or improving was presented to the Board and, on motion, passed on its first reading.

[illegible], the meeting, on motion, adjoined.

Secretary-Treasurer.

July 14, 1922-- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney L. A. Bourne, representing the Merrell-Soule Sales Corporation, appeared before the Board and asked that the order of the Board passed at its regular me yesterday prohibiting the sale of this company's products in the city be suspended until the matter can be investigated further, and called attention to the fact that the products in question were used over seas by the United States Government during the late war and has passed the rigid requirements of the U. S. Health Service. He also stated that these products had never been prohibited in other sections of the country; that millions of dollars worth of them had been used and it had never been proven a menace to the health of any single individual.

Mr. Bourne presented an analyses of the product, showing that same contained lactic acid count than milk sold by a number of the dairies selling milk in the City of Asheville. Mr. Bourne stated that the Health Officer would admit that the matter was one of sanitation rather than of sanitation.

Mr. Bramlett, agent of the Klim Products in the City, stated that Mr. Leibetter, City Meat and Milk Inspector, stated to him some time ago, that it was not a personal matter with the Health Department of the City, but a question of protecting an investment of over five million dollars in dairies in Buncombe County.

Dr. C. V. Reynolds stated that the Health Department of Asheville invites the sale of milk products in the city, but does say that the production of the milk from which these products are manufactured must be by a clean process and desired evidence that such products are obtained from healthy tuberculin tested cows. He called attention to the fact that the Klim products were classed as Class B in the New York Health Ordinance and that the sale of Class B products to infants and children was prohibited.

Dr. Reynolds stated, however, that, in his opinion, the Klim products were as good or better than products of the same kind and recommended that the producers and sellers of all milk products in the raw offering such products for sale in the City of Asheville be given a designated time to furnish the Board with evidence that such products comply with the provisions of the city milk ordinance

After some further discussion, the Commissioner of Public Works moved that the order of the Board on yesterday, prohibiting the sale of Klim Products in the City of Asheville be rescinded and that producers, distributers and sellers of milk products in the raw be given two weeks in which to furnish to the Board satisfactory evidence that the products sold and distributed comply with the provisions of the city milk ordinance, otherwise to discontinue the sale of same at the end of that time. This motion, on being seconded was adopted.

A delegation representing the owners of property on Baptist Hill and Catholic Hill appeared before the Board asking that Hazzard Street be paved as early as possible.

The parties present were informed that said street in now on the city's tentative paving program and they were assured that if the necessary finances could be raised the street would unquestionably be paved.

The application of one Will Smith, a crippled colored man, for a free license to run a [illegible] stand on Eagle Street was, on motion, referred to the Commissioner of Public Safety for investigation and report.

The City Engineer's report showing his investigation of the request of the promoters of the new Commercial Hotel that the City deed them 20 feet of the Auditorium lot in exchange for a 45 foot strip of land to be used for a street was, read to the Board, and, on motion, referred to the Corporation Counsel for legal advice.

(Copy of Report)

July 12th, 1922.

The Hon. Mayor & Commissioners:

Gentlemen: As to the request of the Hotel Committee; that the City deed them 20 feet of the Auditorium lot, along the south side of same in exchange for a 45 foot strip of land "to be used for a street", extending from the east margin of Haywood St. through the Briggs property to Hiawassee St., as shown on plan submitted. I think it unwise to comply with this request for the following reasons:
The said 45 foot St. would in my opinion be of little value to the public as it does not fill a need.
The street as laid out, can be made to have a fairly easy grade, but to grade and pave and maintain it would cost the city a considerable sum of money. The 20 foot strip of land, which the Hotel committee asks the City to deed them is at their own figures worth to the city $30,000.00, besides if this 20 feet was cut off from the auditorium lot, it would practically destroy the south entrance to the auditorium as it would cut into two stairways, and the fire escape and make the approach for trucks, of little use. The Auditorium lot within its present lines is none too large; should the city decide to build an up to date building on it.

Very respectfully,

P. M. Lee, City Engr.

The Commissioner of Public Works reported that Mr. J. H. Greasman, bondsman wished to take down the bond filed with the application of W. M. Penland for a public service chauffeur's license.

It appearing to the Board that the chauffeur's license card, issued to Mr. Penland, had been turned in, on motion, it was ordered that the bond be surrendered.

A petition signed by property owners on Baird Street requesting the paving of said street between Charlotte Street and Furman Avenue and asking that if this work can not be done within a reasonable length of time that the said street be oiled was, on motion, referred to the Commissioner of Public Works for report.

(Copy of Petition)

June 19th, 1922.

TO THE
COMMISSIONERS OF THE
CITY OF ASHEVILLE, N. C.

We the undersigned petition the City Commissioners, of the City of Asheville, N. C. to Pave Baird Street, between Charlotte Street and Furman Avenue, and further petition the City Commissioners that in case this Paving cannot be done reasonably prompt, that Baird Street, between Charlotte Street and Furman Ave., be oiled so as to give the residents on Baird Street relief from the Dust which is thrown up by passing vehicles, that are many each day.

Our reason for not asking for Paving beyond Furman Ave., is that we do not believe it practical on account of the steepness of Baird Street on up beyond Furman Avenue.

We recommend this matter to your attention, and hopy that in the very near future the street will at least be oiled.

(SIGNED) W. H. Arthur
W. Morton Jones
C. H. Park
Nevart Sarafian
R. W. Kilpatrick
Mr and Mrs Fred Hester
Dr and Mrs Everett
Mr and Mrs Zebulon Weaver
T. C. Westall
C. J. Barrett

The City Engineer's report of streets in the city having similar [illegible] was read in the hearing and, on motion, taken under advisement, the Board requested the City Engineer to check the names and select new names at an early date.

(Copy of Report)

July 6, 1922.

To the Hon. Mayor and Board of Commissioners of the City of Asheville, N. C.

Gentlemen:

Herewith you will find report, as requested at your meeting [illegible] of the streets in the City of Asheville [illegible] names that are similar phonetically.

Merrimon Ave.	Woodland Road
Merrimon Place	Woodland Ave
Madison Ave. (2)	Woodlawn Road
do	Woodlawn Ave
	Woodward St.
Maple St.	
Maple Crescent	
North View	
North St.	
Oak St.	
Oakdale St.	
Oakland Rd.	
Oakwood St.	
Oak Park Rd.	
Pisgah Ave.	
do	
Pearson Drive	
Pearson Alley	
Ridge St.	
do	
Ridgeway St.	
Rich St	
Richmond Ave	
Richland St	
Sunset Drive	
Sunset Parkway	
Swannanoa Rd	
Swannanoa Ave.	
Short St.	
Short Bailey	
Short Buxton	
Short East	
Short McDowell	
Short Madison	
Short Pine	
Short Roberts	
Short Spring	
Short Starnes	
Short Valley	
Short Woodfin	
Victoria Drive	
Victoria Place	
Victoria Road	

Yours truly,

T. A. Cox, Jr.,
Assistant to the Engineer

The request of a Mrs. Farinholt for a refund of April water rent paid [illegible] through error for Mr. Chiles in Kenilworth was, on motion, referred to the Water Superintendent for further report.

A resolution, passed by the Central Labor Union requesting the Board to pass ordinances requiring jitney busses to pay license taxes as nearly equal to that paid by street car companies, also that said jitney busses be required to operate over designated routes entirely; that no person under the age of twenty-one years of age be allowed to operate same and that operators be required to file and keep on file with the Secretary-Treasurer of the City, bonds to indemnify each person who may be injured by the operation of said busses, was presented to the Board by a committee composed of W. W. Warren, F. F. Howell and others.

It was explained to the gentlemen composing the committee by the Mayor that he had been gathering information for some time from other cities with the idea in view of regulating jitney busses and that the matter would probably be taken up and definitely decided by the Board in the near future.

(Copy of Resolution)

W H E R E A S it appears to the members of the Central Labor Union that the recent introduction and use of passenger motor buses, usually known as "jitneys", in the City of Asheville, which follow the main lines of traffic throughout the City, and take passengers at such times and hours, and at such place s as is most convenient to them, without regard to the interests of the people, and in competition with other public carriers in the City, and

W H E R E A S, we believe the operators of said jitney buses are not financially able to respond in damages for any serious injury that might be done to persons or property, and have given no bonds of any kind to indemnify any persons for damage or injury which may be sustained by reasons of the operation of said jitney buses; and

W H E R E A S, the said jitney pay little or no taxes on property in the City of Asheville, and a very small license tax to the City, much less than is paid by the street car company for similar services; and,

W H E R E A S, this Body is satisfied from the history of the operation of jitney buses in other cities of the United States that if said operation is continued in Asheville for any great length of time, without restrictions, and without any liability for taxes, paving the streets, and other burdens carried by the operators of street cars, that such operation will eventually destroy to a large extent the efficiency of the street railway system in the City of Asheville, and thereby greatly reduce the value of property and put a large number of persons out of employment:

N O W, T H E R E F O R E, BE IT RESOLVED:

1. That we earnestly request the Mayor and the Commissioners of the City of Asheville to pass such ordinances as are within their power to the following end:

(1) That said jitney buses be required to pay license taxes as nearly equal to that paid by the street car company, to wit, one per cent, of the total receipts, as is possible.

(2) That said jitney buses be required to operate over designated routes and not to vary therefrom, and to operate said buses every day in the year from 6 o'clock in the morning until 11 o'clock at night.

(3) That the operators of said buses be required to file and keep on file with the Secretary-Treasurer of the City of Asheville, bonds to indemnify each person who may be injured by the operation of said buses in a sum not less than Five Thousand Dollars, the total of said bonds to be sufficient to cover any probable amount of damages that may be recovered for such injuries.

(4) That no person under the age of twenty-one years of age be allowed to operate such jitney buses, and that such ordinances contain such other provisions and conditions as may be necessary and proper to carry out the intent and meaning of this resolution.

RESOLVED, FURTHER, That a committee of this Central Union be appointed to appear before the Mayor and Commissioners of the City of Asheville and urge the adoption of such ordinances at the earliest possible moment.

[illegible]

The Chief of Police and Building Inspector reporting favorably on the application of Arthur E. Jeter for license to conduct a public dance hall at 44 Market Street, on motion duly seconded and unanimously adopted, it was ordered that the said Jeter be given a license on the payment of the regular license tax.

(Copy of Report)

July 13, 1922.

Hon. Mayor and Board of Commissioners,
Asheville, N. C.

Gentlemen: In re: Application of Arthur E. Jeter for license to conduct dance hall 44 Market Street.

After having inspected the building at 44 Market Street, we hereby recommend that the license be granted to Arthur E. Jeter to conduct a public dance hall in this building, as we find that the arrangement of the building complies entirely with the law.

Very respectfully,

W. R. Messer
Chief of Police

F. F. Howell
Building Inspector.

C. H. McClelland, Herman Stroupe and Jack G. Looschen, having filed bonds, court records, doctors' certificates and recommendations, as required under the ordinance regulating public service automobiles in the city, and all papers being approved, their applications for license to operate public service automobiles in the city were approved and it was ordered that they be granted the licenses requested.

On motion, it was ordered that the **Ideal Amusement Company** be granted a license to advertise attractions to be staged at the Pack Theatre by signs affixed to moving vehicles drived over the street of the city on the payment of a license tax of $5.00 per month.

Reports from the Street, Street Cleaning, Health and Incinerator Department, the Meeting Association, Playground Supervisor, Sealer of Weights and Measures, Colored Swimming Pool Supervisor and Dog Catcher were read and, on motion, ordered filed.

On motion, the following building permits were granted:

A. Blomberg	Repairs	411 Depot St.	Estimated cost	150.00
Mrs. C. W. Britt	Receiver House	2 Blanton St	" "	75.00
Carolina Home Builders	7 room Dwelling	Biltmore Ave.	" "	7,000.00
Mrs. C. M. Cobb	3 Room & Porch	19 Glendale Ave	" "	100.00
Mrs. J. P. Morris	Frame House	25 Pearl St.	" "	150.00

On motion, adjourned.

SECRETARY-TREASURER.

Saturday, July 15, 1922-- 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. S. Sternberg appeared before the Board and explained that he was now constructing a house on Victoria Road for which there was no sewer connection available the sewer being about five hundred feet away. He stated that he had paid the assessments against his property on account of the construction of this sewer and that he thought the city should bring same to the street in front of the property on which he was building. He further stated that he had taken the matter up with Mr. J. C. Stikeleather, through whose property the sewer would have to run and Mr. Stikeleather had agreed to give a right of way for same.

This matter, on motion, referred to the City Engineer for investigation and the request that he prepare a map or plat showing the existing conditions and also make a written report of the conditions found.

A representative of the Standard Oil Company was before the Board and explained that he was constructing a filling station on Biltmore Avenue for said company and had been stopped by the Building Inspector, who contended that the structure being erected was not fire proof. He asked that he be allowed to proceed in view of the fact that no wood in the building was exposed.

It was explained to the gentleman that the law regulating the construction of buildings within the fire limits of the City was a state law and that the Board had absolutely no authority to allow him to violate it.

On the recommendation of the Commissioner of Public Safety, it was ordered, on motion, that the ordinance regulating parking on South Pack Square be laid on the table for ten days.

The Chief of Police, Building Inspector and Chief of Fire Department reporting favorably on the application of one O. C. Groce to conduct a public dance hall in Groce Park, West Asheville, it was ordered, on motion, that the application of the said O. C. Groce be approved and that he be granted the license requested on the payment of the regular license tax.

(Copy of report)

July 14, 1922.

To the Honorable Mayor and
Board of City Commissioners,
Asheville, N. C.

Gentlemen: In re: application of O. C. Groce to conduct dance hall Groce Park West Asheville (Colored)

After having inspected building in Groce Park, West Asheville, in which O. C. Groce desires to conduct a dance hall, we wish to recommend that the license be granted as applied for by above-named part, as we find that he has in every respect conformed to the laws in regard to said license.

Very respectfully,

W. R. Messer
Chief of Police

F. F. Howell
Building Inspector

A. L. Duckett
Chief Fire Department

An ordinance prohibiting any person, firm or corporation from driving or walking over, entering upon, passing, crossing or in any manner travelling over or upon any street, sidewalk or alley in the City of Asheville closed for the purpose of constructing, repairing, repaving or improving same, was presented to the Board and, on motion, passed on its second reading.

On motion, the rules were suspended, this ordinance placed on its third and final reading, passed and being for the immediate preservation of the public peace and safety of the citizens of the said city, was declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said city.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it shall be unlawful for any person, firm or corporation to drive over, walk over, enter upon, pass, cross or in any manner travel over or upon any street, sidewalk or alley in the City of Asheville which has been closed for the purpose of construction, repairing or repaving, or in any manner inproving said street, sidewalk or alley, or to drive over, walk over, enter upon, pass, cross or in any manner travel over or upon any portion of any street, sidewalk or alley which portion has been closed for the purpose of making repairs, repaving or construction.

Section 2. It shall be unlawful for any person, firm or corporation to write, carve or cut, or in any manner deface any pavement placed upon any sidewalk, street, alley or other public place in said City.

Section 3. That any person violating any of the provisions of this ordinance upon conviction shall be subject to a penalty of Fity ($50.00) Dollars for each and every offence.

Section 4. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

Section 5. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said City, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said City.

I move the adoption of the foregoing ordinance, this the 13th day of July, 1922.

R. J. Sherrill,
Commissioner.

Approved as to form:

Geo Pennell

Corporation Counsel.

On motion, the Mayor was authorized to draw a check in favor of W. S. Ray for $12.00 for saddle horses furnished the Police Department for a parade.

The City Engineer's report showing the total and pro rata cost to property owners on account of the construction of a 6" pipe sewer on Hudson Street from State street west 1050 feet, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the Tax Collector for collection:

6" Pipe Sewer--Hudson St from State St sewer west 1050 ft.

Labor			824.40
1035 ft 6" Pipe	.17		175.95
18 bags Cement	.80		14.40
4900 Brick	16.00	M	78.40
4 Manhole Covers & Frames	7.45		29.80
3 yds Sand	1.30		3.90
Advertising			20.00
Engineering			61.16
			$ 1,208.01

ASSESSED PROPERTY OWNERS

Lot No	Name	Feet	Price	Amt.
29	K. T. Wenz	60	.67	$ 40.20
28	" " "	60	"	40.20
27	" " "	60	"	40.20
26	J. C. Penland	60	"	40.20
25	" " "	60	"	40.20
23	J. M. W. Frisbee	50	"	33.50
24	" " " "	50	"	33.50
24½	" " " "	50	"	33.50
25	Homer H. Johnston	50	"	33.50
26	" " "	50	"	33.50
32	" " "	50	"	33.50
33	" " "	50	"	33.50
34	R. B. Kenerly	50	"	33.50
35	M. A. Franklin	100	"	67.00
48½	A. C. Atkins	100	"	67.00
118	C. E. McKinney	75	"	50.25
119	H. L. Finkelstein	79	"	52.93
119½	R. C. Harwell	39.5	"	26.47
125	Inez Smith	39.5	"	26.46
126	" "	45	"	30.15
127	" "	25	"	16.75
128	" "	25	"	16.75
129	" "	25	"	16.75
		25	"	16.75
				$ 822.76

Lot No.	Name	Feet	Price	Amt.
				$ 822.76
130	J. C. Alberts	25	.67	16.75
131	" " "	25	"	16.75
132	" " "	25	"	16.75
133	" " "	25	"	16.75
134	John J. Worsley	25	"	16.75
135	" " "	25	"	16.75
136	" " "	25	"	16.75
137	" " "	25	"	16.75
138	D. B. Whitemore	25	"	16.75
139	" " "	25	"	16.75
140	" " "	25	"	16.75
141	" " "	25	"	16.75
103	Regina Blotter	25	"	16.75
102	" "	25	"	16.75
101	" "	25	"	16.75
100	" "	25	"	16.75
99	" "	25	"	16.75
98	" "	25	"	16.75
97	Eugene Sawyer	25	"	16.75
96	" "	25	"	16.75
95	Gay Green	25	"	16.75
94	" "	25	"	16.75
93	" "	25	"	16.75
	Total			$ 1,208.01

B. M. Lee, City Eng.

Reports from the Building Inspector and Plumbing Inspector were read, and, on motion, ordered filed.

On motion, the following building permits were granted:

A. E. Sluder	Recover House	138 Cherry Street	Estimated cost	$ 100.00
P. L. Threlkeld	Garage	99 Pearson Drive	" "	60
David Kimberly	5 room House	Coleman Avenue	" "	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Monday, July 17, 1922-- 11 o'clock, P. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting read and approved.

The application of Mrs. T. Lee Collins for license to operate a public dance hall at #8 North Pack Square was, on motion, referred to the Chief of Police, the Chief of Fire Department and the Building Inspector for investigation and report.

(Copy of Application)

Asheville, N. C., July 17, 1922.

TO THE HONORABLE MAYOR AND BOARD OF COMMISSIONERS
OF THE CITY OF ASHEVILLE.

I hereby make application to conduct and operate a public dance Hall, at No. 8 North Pack Square, in compliance with the laws of the City of Asheville and State of North Carolina. If granted the permit, I agree to comply the City Ordinace and to cooperate with the City Official to make the place a success and afford a clean and wholesome amusement.

Respectfully submitted

Mrs. T. Lee Collins

...requested permission to use ... pipe. It was suggested to Mr. Frady that ... Inspector recommending the use of the pipe ...

... appeared before the Board with reference to his application for ... dance hall at the intersection of West Chestnut ... the recommendations of the committee with ... complied with and that he had secured a petition ... signed by all of the property owners with the exception of two residing in the neighborhood of the said dance hall.

... referred to the Commissioner of Public Safety ... with the Chief of Police, the Chief of ... Inspector.

Mr. ... appeared before the Board and explained that the sewer line ... property to the French Broad River instead of emptying into the ... river emptied in the ... immediate action be taken to extend this ... to the river.

This matter, on motion, was referred to the Commissioner of Public Works for ... investigation and report.

... request that Dodge Avenue be repaired was, on motion, ... Commissioner of Public Works.

... Engineer C. ... appeared before the Board and explained with reference to ... Mr. S. Sternberg's request for a sewer line, that the nearest sewer to Mr. Sternberg's ... was about 150 or 200 feet; that to accommodate his house the sewer would have to be ... through the property of Mrs. C. C. Stikeleather and no one else except Mr. Sternberg will be connected.

It was explained to Mr. ... by the Commissioner of Public Works that the Board ... desired a report on existing conditions with reference to the sewer accommodations ... in that section of the city.

The request of Mr. ... that he be rebated the sewer assessment charged against his property on ... for the reason that the property in question has depreciated greatly in value ... several years was, on motion, taken under advisement.

Mr. ... called attention to the necessity of cutting off the short corner at the intersection of ... Drive and Roberts Street.

No action taken.

... representative of the Williams Stock Company appeared before the Board and asked for ... permit to exhibit in Asheville during the coming week, ... agreement that he first secure his location and then file ... with the license.

On the recommendation of the Commissioner of Public Works, it was ordered that a 250 C. ... be installed at the intersection of Marcellus Street and Merrimon Avenue.

On motion, it was ordered that the following building permits were granted:

... Cooper	3 room dwelling	287 Montford Ave.	Estimated cost	$1,250.00
... Skinner	...	Ralph Street(rear)	" "	250.00
... A. Erwin	...	Courtland Ave.	" "	3,500.00
... Weaver	6 room dwelling	106 Beach St.	" "	2,500.00
... L. Mitchell	5 room dwelling	964 Haywood Road	" "	2,000.00
... Bruner	1 room	59 Eagle Street	" "	300.00
... Moore	...	60 Mae Street	" "	200.00
... Smith	Bath room	Eaton Street	" "	800.00
... Sandor (2)	Electric Porches	Stone Hedge	" "	4,000.00
... L. Smith	Porch	Pine Street	" "	40.00
... Mitchell	Porch & greenhouse	West Haywood	" "	1,000.00
... E. ... Brown	Garage	250 Patton Ave.	" "	80.00
... Mrs. Elbeite	Repairs	110 Woodrow Avenue	" "	800.00

On motion, adjourned

Secretary-Treasurer

Tuesday, July 18th, 1922 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Mr. J. E. Wright appeared before the Board and explained that he was erecting a house on Tiernan Street for which it was impossible to obtain sewer accommodations without crossing private property, he asked that the sewer be extended up the street so that he might be able to connect to same. This matter on motion, referred to the Commissioner of Public Works for investigation and report.

A request for permission to install an aereo on the flag pole on top of the City Hall, for a wireless station in Grants Pharmacy and the Fire Department was, on motion, referred to the Commissioner of Public Safety.

City Engineer's report together with a map or plat showing his investigation of the request for the paving of Harrison Street, was presented to the Board On motion, this matter was taken under advisement, the Board agreeing to go over the ground and investigate the matter in person.

Asheville, N.C.July 18th, 1922.

" The Hon. Mayor and Commissioners:
Gentlemen:-

I herewith enclose a map of Harrison St. together with an estimate of the cost of Paving same with concrete.

As you will see from the enclosed map the street is 30 feet wide through only a little more than half its length; the remainder will average only about 15 feet wide. In making my estimate I propose paving 20 feet of the 30 feet and the whole of the rest.

	Estimated Cost		
Excavation	304 cubic yards	at 60 cents.	$ 182.40
Curb (4")	466 ft. set	at 60 "	279.60
Concrete paving	880 square yards	at $2.60	2288.00
Engineering Inspection and etc.			100.00
		Total	$850.00

B. M. Lee, City Engineer."

A communication under date of July 15th from Mr. W. I. Sasportes of #23 McDowell Street calling attention to the drain through his property being stopped up and overflowing into his garden and under his house, was referred to the Commissioner of Public Works for investigation and report.

"July 15th 1922.

The Hon Mayor and Commissioners,
City of Asheville.

My dear Sirs:-

I would like to call your attention to the drainage lines than run from McDowell Street through my property it is stopped up and has been for some time Every time we have a rain as it was last night the water backs up in my garden and under my house. I have reported same to the sanitary inspector and to the street superintendent myself and they have not relieved condit ons any, so I am notifying you in the hopes that you will have this attended to at once.

Thanking you for your kindness, I am
Your Humble Servant.
Walter I. Sasportes.
23 McDowell St "

On motion the following building permits were granted:

Maurice Flynn	1 room store	Fourth Avenue	Estimated Cost	60.00
W. H. Mayes	1 room addition	48 Ridge St.	" "	100.00
C. W. Wrenn	2 room addition	Tiernan St.	" "	2500.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, July 19th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Representatives of the Standard Oil Company and the concern manufacturing the building to be used by said concern on Biltmore Avenue, as a Filling Station, appeared before the Board with reference to said building, explaining that the Building Inspector had stopped work on said building stating that in his opinion the same was not fire-proof. It was explained to the gentlemen present, that the responsibility was directly on Mr. W. A. Howell, Building Inspector for the City of Asheville, who, under the provisions of the State Law must pass on all buildings erected within the fire limits.

On the recommendation of the Superintendent of the Water Department, it was ordered that Mr. Butler be refunded $7.50 amount paid by him for sewer connection on property on Edwin Street.

Attorney J. C. Martin representing the Asheville Power and Light Company appeared before the Board with reference to the assessment against the property of his client on account of the construction of the Horney Heights Sewer.

It was explained to Mr. Martin that the Board had not as yet had an opportunity of going over the ground and investigating conditions, however, this would be done in the near future.

A request that a cinder sidewalk be constructed on Virginia Avenue was, on motion, referred to the Commissioner of Public Works for investigation and report.

A complaint that trucks peddling fruit and vegetables were parking in front of the fruit stands on East College Street and offering their wares for sale, thereby seriously interfering with the business of said fruit stands, was, on motion, taken under advisement.

On motion, the Corporation Counsel was authorized and instructed to prepare a contract for the rent of the city's lot on Roberts Street to the Burton System Incorporated, for the erection of a sign board, with the understanding that said Company agrees to remove said sign at any time in the discretion of the Board of Commissioners such action becomes advisable.

A petition signed by property owners requesting that Coxe Street be paved, agreeing to pay their proporationate part charged against abutting property within 60 days after the work is completed and accepted, provided that said work is completed during the year 1922, was presented to the Board and on motion, referred to the City Engineer for investigation and report as to the front footage and property owners represented thereon.

TO THE MAYOR AND COMMISSIONERS OF THE CITY OF ASHEVILLE.

The undersigned petitioners, owners of land fronting on Coxe Street, in the City of Asheville, having the frontage set opposite their respective names, hereby petition your Honorable Body to proceed at once and pave Coxe Street extending from Patton Avenue to Southside Avenue in the City of Asheville. Your petitioners believe that this street when paved would become one of the most used thoroughfares in the City and that by paving the same, much of the congestion on other streets would be removed and that the city will be largely benefitted by such movement.

And that they will eventually have to pay one third of the cost of paving on each side of the street on which their property fronts, they hereby agree that they will make such payment within sixty days after the completion of said work and the acceptance of the same by the City of Asheville, provided said work is completed during the year 1922.

Owner	Front Feet.	Owner	Front Feet.
Tench C. Coxe, Trustee, Estate of Frank Coxe	1600 feet E.Side and 1700 " W Side	S. M. Stevens	120 feet
Tench C. Coxe	117 feet East Side	J. G. Stikeleather	1200 feet
Daisy Coxe Wright By T. C. Coxe Agent	150 feet East side	B. H. Sumner (for self)	
Maude Coxe By T. C. Coxe Agent	95 feet East Side	B. H. Sumner and E. H. Luckett	125 feet
		Dr. T.C.Smith Co. By F. Smith	104 feet.

A deed conveying to the City of Asheville the sewer laid along Meadow Road with the understanding that in consideration of the said conveyance, the City of Asheville will relieve the Trustees of the Protestant Episcopal Church of all assessment charges against said church on account of the construction of the said sewer line. This matter, on motion, referred to the City Engineer for verification and description contained therein.

THIS INDENTURE made and entered into this the 29th day of May,1922 by and between J. M. Horner, A. H. Stubbs, W. Vance Brown, Kingsland Van Winkle, Charles E. Waddell and Haywood Parker, Trustees for the Protestant Episcopal Church, in the Missionary district of Asheville, parties of the first part and the City of Asheville, a municipal corporation, party of the second part.

W I T N E S S E T H

That, whereas, said parties of the first part by conveyances from John A. Roebling and wife, which are recorded respectively in the office of the Register of Deeds for Buncombe County, North Carolina, in Deed Book, 157, at page 177 and in Deed Book 170 at page 188 are now the owners of certain rights and easements which were originally given to said John A. Roebling by George W. Vanderbilt by deed dated the 30th day of June, 1903 and recorded in the office of the Register of Deeds for Buncombe County in Book of Deeds #130 at page 91 reference to which is hereby had; and

WHEREAS, said party of the second part has laid a sewer line along Meadow Road and connected the same with said sewer line above mentioned, at the point where the same crosses said Meadow Road; and,

WHEREAS, it has been mutually agreed by and between the parties to these presents that said parties of the first part would convey to said party of the second part, all of the right, title and interest which has been conveyed to them by said John A. Roebling, in and to said sewer line and said easement and right of way therefor, and that said party of the second part, as a consideration for said conveyance would relieve and discharge what is generally known as the Roebling lands, from all charges and assessments for the costs of laying and constructing said sewer along Meadow Road opposite said Roebling lands, which lands, at the time of the construction of said sewer along Meadow Road, were owned by said parties of the first part.

NOW THEREFORE, for and in consideration of the release and discharge by said party of the second part of said Roebling lands from any and all assessments which has heretofore been levied against said property for the construction of said sewer line along Meadow Road, said parties of the first part have given, granted and conveyed and by these presents do give, grant and convey any and all right, title and interest which were conveyed and given to them by said John A. Roebling and wife, by deed hereinabove mentioned, in and to so much of said sewer line as lies between said Meadow Road and Swannanoa River and all the easements and rights of way for said sewer line or in any manner connected therewith.

TO HAVE AND TO HOLD the same unto said party of the second part forever.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and seals this the date first above written.

J. M. Horner,
A. H. Stubbs
W. Vance Brown
Haywood Parker
Kingsland Van Winkle
Charles E. Waddell

NORTH CAROLINA
BUNCOMBE COUNTY

I, W. B Carpenter, a Notary Public in and for the County of Buncombe State of North Carolina, do hereby vertify that J. M. Horner, A.H.Stubbs, W.Vance Brown, Kingsland Van Winkle, Charles E. Waddell, and Haywood Parker, Trustees for the Protestant Episcopal Church in the Missionary District of Asheville, personally appeared before me and each acknowledged the due execution of the foregoing Deed.

WITNESS my hand and Notarial seal this the 27th day of June,1922.

W. B. Carpenter,
Notary Public of Buncombe Cunty
State of North Carolina.

My Commission expires May 15th, 1922.

S E A L

HON. Gallatin Roberts, Mayor. July 12th, 1922
Asheville, N.C.

My Dear Mayor:

I hand you herewith deed executed by the Trustees of the Missionary District of Asheville, conveying to the City of Asheville, all interests owned by said Trustees in the sewer line and easement which were conveyed to said trustees by John A. Roebling and wife.

It is our understanding as consideration for this conveyance, the City of Asheville, relieves the trustees of the Missionary District of Asheville, of All assessment charges for the sewer which was laid along Meadow Road and which connects with what is generally known as the Roebling sewer.

Yours very truly

Haywood Parker

Encl.
HP/T

A petition signed by W. T. Rowland and E. J. Randolph asking that a street at the [illegible] Court Place running from College Street to Marjorie Street, [illegible] width of 26½ feet, and agreeing to pay the [illegible] necessary provided said work was done at once and that the city [illegible] reimburse them one half of the said cost, was referred to the [illegible] for an estimate of the cost of opening and grading the said street.

July 19th. 1922.

Mr. Mayor and Commissioners,
of the City of Asheville, N.C.
Gentlemen:-

We [illegible] street, known as Court Place, of a width of twenty six [illegible] one half (26½) feet running North from Marjorie Street to an alley which alley runs east and west and is directly opposite the west steps of Buncombe County Court House, opened and graded and we agree to pay the entire cost in the matter, provided its [illegible] reimburse us to the extent of one half of said cost.

Yours truly, and oblige,

W. T. Rowland & E.J. Randolph "

The request of Mrs. M. H. Fletcher that the city construct a water line in Fletcher Street running South from Gray Street near the Cemetery, to accommodate certain houses [illegible] constructed and to be constructed by her, was read to the Board and, on motion, referred to the Commissioner of Public Works.

Asheville, North Carolina.
July 19th, 1922.

To the Honorable Mayor and Board of Commissioners,
City of Asheville, North Carolina.

Gentlemen:-

As [illegible] I beg to advise that I expect in the near future to erect several houses on my property fronting on a new street running South from Gray Street near the Cemetery. However, I find that while this property has sewer accommodations, the nearest water line is several hundred yards away.

I request will, therefore, that a water line be installed on the street above described. The water line after being installed will accommodate at least twelve (12) lots.

I would appreciate it if you would give this matter your immediate attention in view of the fact that one building is already under construction and several others are to be started in the near future, and, you are, of course aware that the building now under construction cannot be completed without water.

Thanking you for your immediate consideration of this request, I remain,

Yours very truly,

Mrs. M.H.Fletcher
By W. M. Smathers
Agent.

W. H. Mahal, and John Morrison, having filed bonds, court records, doctors' certificates and recommendations as required under the Ordinance regulating public service automobiles in the city, and all papers being approved, their application for license to operate public service automobiles in the city were approved, and it was ordered that they be granted the licenses requested.

On motion the following building permits were granted.

Mrs. S. W. Bailey	3 room addition	156	State Street	Estimated Cost	2500.00
Lillian E. [illegible]	Garage	65	Furman Ave	" "	130.00
W. V. Elkins	5 room house		Sand Hill Road	" "	800.00
Allen L.Hall	7 room house		Brevard Road	" "	5000.00
M. V. Hayes	Garage			" "	30.00
F. M. Lindsey	5 room house	135	Charlotte St	" "	3500.00
Arnest H.Miller	10 room house	58	Penland St	" "	7500.00
C. D. S. Minnie Sparks	2 room addition	69	Elizabeth St	" "	200.00
		81	Deaver St	" "	

On motion adjourned.

Secretary-Treasurer.

Thursday, July 20th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of J. P. Lincoln that a water line be installed across the river from Smith's bridge to accommodate a concrete block manufacturing concern operated by him, was, on motion, referred to the Commissioner of Public Works for investigation and report.

The application of Lehr and Williams Company for a license to exhibit in the city for a week beginning Monday July 24th 1922, in a tent on the vacant lot on Patton Avenue below the Express Company, was, on motion, taken under advisement.

A request that a bridge be placed across the branch and a light placed on Beale Street, was, on motion, referred to the Commissioner of Public Works for investigation and report.

The Commissioner of Public Safety reported that the Real Estate Association requested that the asphalt taken off Southside Avenue be placed on Riverside Drive. No action taken.

The invitation of Prof. J.H.Michael on behalf of the colored summer school to a banquet to be given by the said school next Thursday July 27th, was, on motion, accepted with thanks.

The application of the Shrine Club to give a dance tonight at the Battery Park Hotel was referred to the Chief of Police, Chief of the Fire Department and Building Inspector.

On the recommendation of the Commissioner of Public Safety it was ordered on motion that if the committee reported favorably that said club be granted permission to proceed with its dance.

The Chief of Police, Chief of the Fire Department and the Building Inspector reporting favorably on the application of one J. C. Sparrow to conduct a dance hall at the corner of West Chestnut Street and Madison Street it was on motion, ordered that the license requested be granted, on the payment of the regular licence tax.

WATER RENT REFUNDS

On motion the following refunds of water rents were allowed:

J. E. Conner	30	Richmond St	Excess	2.60	Rebate Allowed	2.60
Millie Williams	23	Lincoln Avenue	"	2.55	" "	1.27
Mrs.E.Shaft	29	Sorrell Street	"	1.84	" "	.92
J.N.Gerren	54	Orchard St	"	5.40	" "	2.70
E. Batterham	53	Broadway St	"	6.89	" "	3.44
W. E. Collins	170	Cumberland Avenue	"	8.59	" "	4.29
J. L. Lightsey	114	Cherry Street	"	3.95	" "	1.97
Mrs.R.Pearson		Richmond Hill	"	13.69	" "	6.84
Mrs.J.W.Ramsey	119	Haywood St	"	2.72	" "	2.72
A. Avery	20	Oakdale Avenue	"	9.61	" "	4.80
D. S. Sherrill	40	Buttrick Street	"	10.45	" "	5.22
Will Bassett		Williams Street	"	3.20	" "	1.60
J. B Seay	37	Ora Street	"	2.85	" "	1.42
J. B. Frady	317	Biltmore Avenue	"	8.52	" "	4.26
N. R. Perry	85	St. Dunstans Rd	"	3.62	" "	1.81
W. L. Lutz	36	Pearl Street	"	2.45	" "	1.22
L. L. "						

The claim of L. L. Merchant of alleged damage to his automobile caused by the City's street flusher running into same was, on motion, taken under advisement.

L. E. BROWN - PUBLIC [illegible]

One L. E. Brown, having filed bond, court record, doctor's certificate and recommendations as required under the ordinance regulating public service automobiles in the city, and all papers being approved, his application for a license to operate a public service automobile in the city was approved and it was ordered that he be granted the license requested.

On motion the following building permits were granted:

L. C. [illegible]	[illegible]	4 room house	Estimated Cost	400.00
S. E. [illegible]	21 [illegible]	Remodel House	" "	400.00
[illegible]	[illegible]	Out house	" "	50.00

On motion, adjourned.

Secretary-Treasurer.

[illegible]day, July 22nd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion of the Mayor it was ordered, on motion, that a 250 c.p. tungsten street light be installed in front of the church erected by the Rev. Ben Cleveland near Hominy Mountain.

The Chief of Police, The Chief of the Fire Department and the Building Inspector reporting favorably on the matter of the dance to be given by the Shrine Club at Battery Park Hotel, it was ordered on motion that the request be granted.

July 20th, 1922

To the Hon. Mayor and Board of Commissioners
of the City of Asheville, N.C.

Gentlemen:

After having investigated the Battery Park Hotel Ball Room in the Battery Park Hotel, we hereby recommend that the license of the Shrine Club for permission to conduct a public dance tonight, be granted.

Yours truly

W. R. Messer
Chief of Police

A. L. Duckett
Chief Fire Department

Building Inspector.

The following bids for the opening and grading of Court Place from College Street to Marjorie Street were referred to the City Engineer for tabulation and report:

Greenwood and Palmer	Grading per yard	65 cents
Asheville Construction Co-	" " cu yd.	50.cents
W. Y Ramsey		
Dirt [illegible] by drag scraper per cu yd.		45 cents
Wagon [illegible] or dirt to be removed from street site per cu yard		60 cents
Trees to be removed		$10.00

Weekly reports from the City Plumber, Play ground supervisor, Dog Catcher, Lester [illegible] and Measures, Plumbing and Building Inspectors, were read to the Board and on motion ordered filed.

On motion the following building permits were granted:

Taylor Brookfield	Repairs	424 Haywood St	Estimated Cost	175.00
J. P. Hall	9 room house	Forest Hill	" "	5000.00
[illegible] Cunningham	new roof	532 Haywood Rd	" "	300.00
G. L. Hall	new roof	84 Rankin Avenue	" "	290.00
J. F. Laughridge	Garage	23 Arlington St	" "	75.00
K. & M. McNeil	5 room House	Clinton Ave	" "	4500.00
Roy Miller	5 room house	Virginia Ave	" "	3500.00
Leila Miller	5 room house	Virginia Ave	" "	3000.00
Mary E. Sweet	Garage	Wells Ave	" "	72.00

On motion, adjourned.

Secretary-Treasurer.

Monday, July 24th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The City Engineer's report showing his investigation of the petition requesting the paving of Coxe Street from Patton Avenue to Southside Avenue, was read to the Board, and on motion, ordered filed.

July 22nd 1922.

To F. L. Corder,
Secretary-Treasurer
City of Asheville.

Dear Sir:-

Regarding the petition signed by property owners on Coxe Street requesting that said street be paved from Patton Avenue to Southside Avenue I find that the said petition is signed by a majority in number of the owners, who represent a majority of all the lineal feet of frontage of the lands (owners of individual interests in one piece of property have been treated as one person) abutting upon the street or part of street proposed to be improved.

The following table shows the frontage of property on the street proposed to be improved, the number of property owners and the total frontage with the frontage petitioned for:

Lot No.	Property Owner	Frontage Feet & Inches	Petitioned for Feet & Inches
1	Dr. T. C. Smith Co	100	100
5,6,7,12,13	Tench C. Coxe	115	115
2,3,4	Daisy Coxe Wright	153	153
8,9,10,11	Maude Coxe	94	94
20	Tench C. Coxe, Trustee	1575	1575
26,27,28,29, 30,31,32,33, 34,35,36,37	J. M.Crawford	604.43	
38,39,40,41,44, 45,46,47,48,49	J. G. Stikeleather	639.75	639.75
42,43	B. H. Sumner & E.M.Luckett	136.62	136.62
25	Tench C. Coxe, Trustee	461	461
24	Keith	28	
23	Tench C. Coxe Trustee	796	796
22	S. M. Stevens	120	120.
21	Tench C. Coxe Trustee	279	279
14,15,16,17 18,19	Asheville Power & Light Co	298	

Total Frontage 5499.80
Frontage petitioned for 4509.37
Total Property Owners 11
Property Owners signing petition 8

Signed (B. M. Lee) City Engineer.

Corporation Counsel reporting as to his investigation of the proposition of the promoters of the new Commercial Hotel to exchange a 45 foot strip of land to be used as a street for approximately 80 feet of the Auditorium property, was read to the Board and on motion, ordered filed.

July 20th, 1922.

"To the Hon. Mayor and Board of City
Commissioners of the City of Asheville, N.C.

Gentlemen:-

In re: Proposed sale Auditorium property to
promoters of new Commercial Hotel .

I am in receipt of your communication of the 15th requesting legal advice on the power of the Board of Commissioners to deed twenty feet of the land known as the auditorium property to the promoters of a proposed new Commercial Hotel in exchange for a forty five foot strip of land to be used for a street, and in reply to said request have to advise as hereinafter set forth:

The power to purchase the auditorium property was acquired by Chapter 43 of the Private Laws of North Carolina- Session 1909 being "An Act to Authorize the City of Asheville to purchase the Asheville Auditorium Property" which acquisition was authorized upon a majority of the voters of the City of Asheville casting their ballots in favor of the proposed acquisition or purchase, and at the election held for the purpose of determining the will of the voters, a majority vote was cast in favor of the acquisition, and the purchase was consummated on November 17th 1909, and the deed conveying the property is recorded in Book 165 on page #244 in the office of the register of Deeds for Buncombe County, N.C. The title to the property is vested in the City of Asheville, and as is well known, is held for amusement purposes and an assembly place for gathering of the community on public occasions and the holding of conventions.

...power ...governing body of a municipality to dispose of property devoted to public use is declared in McQuillin on "Municipal Corporations" paragraph 1141-1147 as follows:

"Property dedicated to public use cannot be sold or leased by a municipality without special statutory authority, although property which has been ceased to be used, or is not used by the public may be held or leased as the public welfare may demand. It is true that all property is public which has been dedicated to public use or which is impressed by a public trust, either general or special Municipal Corporations hold all property in which the public is interested, such as streets, alleys, public ways, commons and parks in trust for the use of the public and such property cannot be sold. Trust property can no more be disposed of by the Municipality than can any other trust property held by an individual."

The Supreme Court of North Carolina in the case of Southport vs Stanley on page 444 holds:

"That a town or city can sell any personal property, sell or lease any real estate which it holds in its town or city as the surplus of the original purpose ceases to exist, or city site, or such land as may have been subsequently acquired by purchase that it may not be the power be extended to the sale or lease of any real estate which is now held in trust for the use of the town or any real estate with or without the buildings on it, which is devoted to the purposes of government, including town or city hall, market house, houses used for fire departments or for water supply for public squares or parks, to enable the town or city authorities to sell such of the real estate of the towns or cities as is mentioned above, there must be a special act of the General Assembly authorizing such lease or sale."

This case is cited with approval in Turner vs Commissioners 137 North Carolina - 154- Rosenbaum vs Commissioners, 134 North Carolina 22. An investigation of the acts of the General Assembly shows that no Special Act of the Legislature has been passed authorizing the conveyance of any portion of the auditorium property for any purpose.

I call your attention to Section ____ of the Consolidated Statutes of North Carolina which provides:

"The Mayor and Board of Commissioners of any incorporated town shall have power at all times to sell at public outcry, after thirty days' notice, to the highest bidder, any property real or personal, belonging to any such town and apply the proceeds as they may think best."

The Section aforementioned was originally Section 3834 of the Code, which section was interpreted in the case of Southport vs. Stanley supra and is restricted by said decision. In any event the Board of Commissioners could not dispose of any portion of the auditorium without complying with the provisions of this section if the auditorium property is not without the prohibition set forth in the Southport case.

The right of the Governing Body of a Municipality to exchange property acquired for a specific use, as in the case of the auditorium for property to be used as a public street, has not been passed by our Court, and until the question is directly presented upon a statement of facts identical or very similar to the ones involved in the question propounded to me by you, it is impossible for any attorney to state what the law on the question is. However, I advise you that, in my opinion, in view of the acquisition of this property by authority of a Special Act of the Legislature and a direct vote of the citizens of Asheville for a specific purpose, that the Auditorium property is held by the Board of Commissioners for a public use and is affected by a special public trust, and that the Board of Commissioners cannot dispose of the same without legislative enactment permitting the same.

Very respectfully yours,

Geo. Pennell

Corporation Counsel"

C

The City Engineer's report showing that the lowest and best bid submitted for the grading of Court Place was submitted by W. V. Reynolds, it was ordered, on motion, that the contract for said work be awarded to said contractor on his bid of $129.25.

Asheville, N. C. July 24th, 1922.

Tabulation of bids for grading Court Place.

W. V. Reynolds,	
Excavation 265 yards at 45 cents	119.25
Taking up two trees	10.00
	$ 129.25
Asheville Construction Company	
Excavation 265 yards at 50 cents	
Taking up trees	132.50
Greenwood and Palmer	
Excavation 265 yards at 65 cents	172.25

B. M. Lee, City Eng.

File No. 1 Letters C to P

The proposition of Sluder Brothers to accept $50.00 in full settlement for all material and labor in the construction of the Murphy Water Line in West Asheville, was read to the Board and on motion, referred to the Commissioner of Public Service for investigation and report.

"Asheville, N.C. July 18th, 1922.

Hon. Board of City Commissioners,
City of Asheville.

Gentlemen:-

We hereby agree to accept as full payment for all materials and labor used in the Murphy Water Line in West Asheville the sum of fifty two ($52.00) dollars.

Very truly yours,

SLUDER BROTHERS."

On motion the following building permits were granted:

Edison Douglas	Repairs	118 Livingston St	Est mated Cost		100.00
Mrs. M. W. Fletcher	3 room house	Madison Ave	"	"	700.00
" " "	4 room house	West Chestnut St	"	"	850.00
W. P. Singletary	Garage	Michigan Avenue	"	"	100.00
L. W. Williams	7 room house	41 Ridge Street	"	"	3[illegible]0.00

On motion adjourned.

Secretary-Treasurer.

Tuesday, July 25th, 1922 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. Commissioner Sherrill absent on official business.

Mr. James S. Howell, appeared before the Board and called attention to the alleged unsanitary condition in the rear of Owenby's store and Kiibler's Meat Market at the corner of Montford Avenue and Cherry Streets. This matter, on motion referred to Sanitary Inspector Frady for immediate attention.

"July 25th, 1922.

To the Honorable Mayor and
Board of Commissioners of
the City of Asheville.

Gentlemen:-

I wish to call to your attention the very unsanitary condition existing in the rear of Owenby's store and Kiibler's Meat Market on Montford Avenue at the intersection of Montford Avenue and Cherry Street.

Meat scraps, chicken feathers, spoiled fruit and other kinds of refuse and trash are thrown out at the rear of the above named stores causing repulsive odors to those living on the adjoining property and serving as nesting places for flies.

Just in the rear of these two stores and on part of the property adjoining the Montford Drug Store, the construction of a certain garage and entrance thereto and the absence of sufficient guttering on said buildings has caused and does cause after every rain the water to back up and collect. After a day or so this water becomes polluted and very offensive. I respectfully request that the owners of the property causing the sudden flow of the waters and causing said waters to collect and stand, be made to comply with the laws and arrange sufficient guttering on said buildings and rearrange the present layout of the guttering on said buildings in such a way as to cause the waters to flow in their natural way and not to be a nuisance to adjoining property owners, and I further request that this Honorable Board have the owners of said above described property to re-arrange the construction of the entrance to said garage and to cut down and change the slope of their back yards so as to cause the waters collecting thereon to flow into Cherry Street and not to rush onto the adjoining property.

Gentlemen, this condition as I have attempted to describe to you is one that demands immediate attention. The families living nearby are being disturbed in the peaceful enjoyment of their property rights and placed in danger of catching diseases as a result of the unbearable, unsanitary condition now existing.

One of your Inspectors has gone out on two or three occasions and in a half hearted way had the premises cleaned up but his efforts produced little, if any results.

I respectfully petition this Honorable Board under the powers vested in them to remedy this condition at once.

Very respectfully,
James S. Howell."

File No. 1 Letters Mont

...ttorney Lewis, of Syracuse, N.Y. ...manufacturing KLIM and other ...for the purpose of showing that the ...with the provisions of the ... Asheville.

...and the Board at some length introduc... ...Corporation setting forth ...requests, also a communication from ...to furnish the Milk Inspector of Asheville ...

...all of the plants of the Merrell Soule ...inspected regularly at least once every ...by ... of New York and City of New York and he stated ...that Dr. ... misapprehension when he ...be used by infants in New York ..., that pasteurization and legally by infants and by hospitals and that all of the ...requirements had been met.

Mr. ... that the corporation represented by him ...official or inspector in the city of ...formation and make a personal ...ein.

...his clients' be granted a license to ...stated that the Board would be very ...loathe to act until the return ..., he being out of the city, and ...in Statu Quo until the return of Dr. ...Soule be referred to the Corporation ...or the methods sworn to therein complied with ...

July 13th, 1922.

Mr. J. E. Merrell,
Merrell-Soule Co.
Syracuse, N. Y

Dear Mr. Merrell:

...statement of the ... of July 10th asking that the Bureau give you ...to the plant in which you produce whole ...ment.

...the Bureau's policy not to give endorsement ...analysis of ... Bureau's personnel engaged in the inspec... ...findings could not be made ...policy is apparent. Factory ...as strictly confidential. There is only one ...inspection is given out, and that ...enforcement of regulatory laws. Where these ...specific product this information ...Inspector of Asheville N. C. should request ..., the Bureau will be very glad indeed to ...for his official information only. ...to comply with the request you made.

Very truly yours,

W. G. Campbell

Acting Chief."

...duly sworn states, that he resides in ..., viz: the Treasurer and General Manager ...under the laws of the State of New York, ...period of years "Klim" and other powdered ...engaged in the manufacture and in charge of the ...forms and with the manufacture of "Klim" in ...the manufacture of "Klim" is a true des-

...Klim is produced on farms in New York State ...the New York City Department of Health. The ...New York City and State Health Department as well. ...pasteurized milk and cream into New York City. All ...with the New York State and City Health Department ...producing milk for these plants are regular... ...veterinarian and all cattle suspected of dis... ...supervision of the Department of Health.

...145 degrees F and held at that temperature for 30 minutes) ...basis. The ... ...the destruction of all pathogenic or disease bearing ...then ... ...rapidly cooled to less than 50degrees F. It is ...vacuum condenser and the condensed milk is sprayed into ...regulated current of heated air, which evaporates ...leaving the dry solids of milk which are collected ...suitable apparatus.

The powdered milk thus ... ...bacterial growth or change is impossible. The bacteria content of ...the milk ... consistently lower than the limits ... certified milk. ...have been found any pathogenic bacteria in a ... sample examined. The fact ...that evaporation taking place practically instantaneously and ... the entire purpose of ...the spherical ... of milk constituting the spray, ...includes the possibility of ...losing the ... of vitamins contained in the milk by the heated air.

Great care is exercised in the ... of the production ...of the milk ... farms. Cement floors in the barns, milk houses ... suitable sanitary ...facilities ... sanitary. Plant operatives are all under regular health ... ...the plant ... is kept up to the most sanitary possible to devise ... ...for the sanitary place ... where the milk comes in contact with it

The powdered milk is all tested chemically and bacteriologically ...in the Company's Control Laboratory and only such as passes the most rigid ... ...is packed for domestic use as " Klim".

Oscar F. Soule.
Sworn to before me this 31st day of July 1922
Basil B. Aylesworth
Notary Public- Onondaga County N.Y.

STATE OF NEW YORK ...
ONONDAGA

I, Arthur S. Mead Clerk of said County and County Courts ... with the seal of said ... of record, do hereby certify that Basil B. Aylesworth whose name is subscribed to the ... annexed instrument, was, at the time of taking such proof of attestation a Notary Public in and for said County and duly authorized to take the same and that I am well acquainted with his handwriting and verily believe the signature to said ... to be genuine.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said County and Courts at the City of Syracuse this 31st day of July, 1922.

Arthur S. Mead. Clerk.

...

The report of the City Engineer stating the result of his investigation of the description of the right of way of a sewer on Meadow Road deeded to the City of Asheville by the Protestant Episcopal Church was read to the Board, and, on motion the matter was referred to the Corporation Counsel for investigation and report.

Asheville, N. C. July 14th, 1922.

To the Hon. Mayor and Commissioners:

Gentlemen:-

...as to a right of way over the Roebling sewer from the Meadow Road to the Swannanoa River will report that the description of said Right of Way from Vanderbilt to Roebling is recorded in the register of Deeds office in Book 130 page 91 Roebling deeded to the Episcopal Diocese an easement over this sewer but I think it would be well to have the City attorney look into the matter for Vanderbilt seems to have deeded to Roebling the right to connect only one 6" sewer to his.

Very respectfully
B. M. Lee, City. Engr.

...

A proposition of the Hotel Committee of the Chamber of Commerce of the City of Asheville to dedicate to the public use a public street 45 feet and 40 feet in width extending Eastwardly and Northwardly from Haywood Street to Hiawassee Street, provided the City of Asheville will open and perpetually dedicate to the public use an alley 20 feet in width on the Auditorium property, was referred to the Corporation Counsel for investigation and report.

To the Honorable Mayor and Board of Commissioners,
of the City of Asheville, N.C.

The Hotel Committee of the Chamber of Commerce of Asheville, charged with the promotion of a new Commercial hotel, to be erected on the Briggs property adjoining the City Auditorium property on Haywood Street hereby propose to the City of Asheville, that

If the City of Asheville will open and perpetually dedicate to the public use an alley 20 feet in width running east from Haywood Street over the City Auditorium lot and along the north line of the Briggs lot and of the proposed hotel building

The Hotel Building Corporation and Dr. H.H. Briggs will perpetually dedicate to the public use a street 45 feet and 40 feet in width extending eastwardly and thence northwardly from Haywood Street to Hiawassee St.

All as shown by plat dated July 22nd 1922, copy of which is hereto attached.

Respectfully submitted,

Herbert D. Miles
Chairman of Finance.

[illegible] Fred Jones having filed bond, court record, doctor's [illegible] required under the ordinance regulating public service automobile [illegible] papers being approved, his application for a license to [illegible] automobile in the city was approved and it was ordered [illegible] license requested.

[illegible], the following building permits were granted:

[illegible]	[illegible]	2 room house	Estimated Cost	300.00
[illegible]	[illegible]	Repairs	" "	150.00

[illegible]

Secretary-Treasurer.

July 26th, 19[illegible]. 11 o'clock A. M.

[illegible] met in regular session. Mayor Roberts presiding. Commissioner Sherrill absent on official business. The minutes of the previous meeting were [illegible].

[illegible] reported that he had investigated the complaint of Mr. [illegible] in regard to an alleged sanitary nuisance in the rear of [illegible] at the intersection of Montford and Cherry Streets, [illegible] the owners of the property to pipe the surface water [illegible] street. [illegible] reported that the nuisance complained of in the way of [illegible], spoiled fruit and other refuse had been [illegible].

The Commissioner of Public Safety reported a sanitary nuisance near [illegible] Street [illegible] by a stopped sewer. This matter, on motion referred to [illegible] investigation and report.

[illegible] with reference to the dangerous condition on Houston Street [illegible] of a water pipe being washed out of the ground and exposed, was [illegible], referred to Street [illegible] Dockery for investigation and report.

[illegible] J. L. Page Bondsman for a public service chauffeur's [illegible], to be returned to him, was granted and the Mr. [illegible] bond to the bearer of the communication sent by

Commissioners [illegible].

Asheville, N.C.

Gentlemen:-

[illegible] bearer Chauffeur Bond signed for John Morrison [illegible] for said bond to be passed on.

[illegible] very truly
J. L. Page
By J. W. Page
Bondsman."

Myrton [illegible] and Charles C. King having filed bonds, court records, doctor's certificates and recommendations as required under the ordinance regulating public service automobiles [illegible] city, and all papers being approved, their applications for licenses to operate public service automobiles in the city were approved and it was ordered that they be granted the licenses requested.

On motion the following building permits were granted:

Asheville Cotton Mills	repairs	6 bldgs. on Facty.Hill	Estimated Cost	500.00
[illegible]	4 room house	Granlee Alley	" "	1000.00
Mrs. J. A. [illegible]	2 bungalows	Monroe Place	" "	2900.00
" " " "	6 room house	Monroe Place & Broadway	" "	3700.00
A. C. [illegible]	Garage	West Asheville	" "	200.00

On motion, adjourned.

Secretary-

Thursday, July 27th, 19[illegible]. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. Commissioner Sherrill absent on business. The minutes of the previous meeting were read and approved.

A petition signed by a committee appointed by the retail grocers association asking that a license tax of not less than $50.00 per annum be levied on all persons buying and selling food stuffs from house to house in the city, was on motion taken under advisement.

To the Honorable Mayor and Commissioners of
the City of Asheville N. C.

We, the Committee, appointed by the President of the Retail Grocers Association of Asheville, N. C. Petition your Honorable Board to show us some consideration in the way of enacting a law, imposing a license tax of not less than ($50.00) dollars per year payable in advance to all persons buying and selling food stuffs from house to house and otherwise peddling in the City of Asheville (the producer not included in this license tax.)

We feel the city is due this tax from people who are not citizens or tax payers of Asheville, and yet are enjoying the business privileges of our city.

We also feel that the Retail Grocers who are citizens and tax payers of Asheville should have some protection against such unfair competition.

We also ask your consideration and co-operation in getting us some protection from peddlers selling goods in front of our places of business direct to the consumer within 100 feet of the door of any retail grocer's store.

J. P. Morgan
John C. [illegible]
R. C. Mumpower

We the appointed committee by the Retail Grocerymen Association for investigation of peddling conditions in Asheville beg to submit the following report.

We find every conceivable form of vehicle on the streets of Asheville buying and re-selling without paying a tax or license.

We also find some wholesale concerns running peddling wagons and selling to peddlers.

We find people also from other localities who come here through the summer season and make a practice of peddling and returning to their homes after the season.

We earnestly recommend that a committee be appointed to carry this matter before the City Commissioners and ask for an immediate adjustment.

Signed C. G. Metcalf
J. P. Morgan
Committee.

[illegible]

Clarence M. DeYoung, Fred Alexander, H. M. [illegible], and George Epps filed bonds, court records, recommendations and doctor's certificates, as required under the Ordinance regulating public service chauffeurs in the City of Asheville, and all papers being approved, it was ordered, on motion, that their applications for licenses to operate public service automobiles in the City of Asheville be approved and that they be granted the licenses as requested.

On motion, the following building permits were granted:

J. S. Griffin Agent	4 room house	281	Gaston St	Estimated Cost	2500.00
E. A. Jackson	5 room house	46	Merrimon Ave	" "	5000.00
L. B. Jackson	4 " "		Pearson Drive	" "	4000.00
L. B. Jackson	5 " "		Pearson Drive	" "	5000.00

On motion, adjourned.

Secretary-Treasurer

Friday, July 28th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. Commissioners [illegible] present and the following business. The minutes of the previous regular meeting were approved.

Mrs. Hull, [illegible] before the Board and explained that she was in the Asheville Hillcrest [illegible] drive and wished to ask that the City of Asheville take out a number of six months subscriptions for the patients in the various Tubercular Sanitariums of the city. Mrs. Hull explained that the city could handle this purely as an advertising feature as it not only advertise Asheville to a great extent but provide pleasure for the "shut-ins" who were unable to subscribe for the paper themselves.

It was explained to Mrs. Hull by the Mayor that the only way the matter could be handled was out of the advertising fund of the Chamber of Commerce and that the matter would have to be taken up with the Board of Directors before action could be had.

The application of Walter Ryan, proprietor of the Roseland Tea Gardens on Buffalo Street in West Asheville, for a license to conduct a public dance hall was, on motion, referred to the Commissioner of Public Safety for investigation and report.

The application of [illegible] L. L. Pipes for permission to give an exhibition of sword swallowing etc. in Aston Park, was, on motion, respectfully refused.

On motion, the Mayor was authorized and instructed to issue a voucher for $84.50 for medical bills incurred by H. [illegible] Jones for injuries sustained while in the discharge of his official duties.

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a sanitary sewer on Virginia Avenue, Langwell Avenue, Lufty Street and Calax Street to Brevard Road, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the tax collector for collection.

June 10th, 1922.

6" and 8" Pipe Sewer
Virginia Avenue, Langwell Avenue, Lufty Street and Calax Street to outfall in Brevard Road Sewer.

Built by City

Labor	2573.53
1650 ft 6" pipe	450.50
1340 ft 8"	655.20
40 bbls at 80 cents	48.00
Brick, 18,000 at $16.00 per M	302.40
Manhole and covers	
11 at 17.45	134.10
Sand - 15 loads at $1.30	19.50
Engineering &	70.23
	$4,253.46

Assessed Property Owners.

Lot No.	Name	Feet	Price	Amt.
1	Negro Church	100	.53	53.00
2	Henry Moore	73	"	39.25
3	[illegible] Harwood	100	"	53.00
4	Fred Sales	60	"	31.80
5	[illegible] Thomas	29	"	15.37
6	J. B. Savage	80	"	42.40
7	Ivy Gephart	44.5	"	23.59
8	W. B. Moore	100	"	53.00
9	Grace Bowen	64	"	34.45
10	[illegible] Davis	83	"	44.11
11	[illegible] Davis	105	"	55.65
12	Mrs. E. Jarrett	127	"	68.90
12½	" " "	70	"	37.10
13	[illegible] Wilson	70	"	37.10
14	[illegible] Cathey	70	"	37.10
15	" " "	100	"	53.00
16	R. E. Ingle	144.5	"	76.58
17	Millard Roffey	83.5	"	44.25
18	" "	61.5	"	33.13
19	" "	61.5	"	33.13
20	" "	62.5	"	33.12
21	J. [illegible] Frighee	62.5	"	33.12
22	" "	49.	"	25.97
23	" "	49	"	25.97
24	R. C. Penland	54	"	28.62
25	Marcus M. Smathers	57	"	30.21
26	R. T. Smathers	57	"	30.21
27	" "	57	"	30.21
28	Mrs. Bettie Williams	57	"	30.21
29	W. W. Boyd	57	"	30.21
31	M. Carland	50	"	26.50
32	Paul J.Hawkins	50		26.50
33	J. C.Penland	50		26.50
34	Mrs.W.R.Trexler	50		26.50
35	Bessie L.Joyner	51		27.03
36	M. Carland	51		27.03
37	W. W. Stowe	51		27.03
38	- - - - - - - - - - - -			
39	T. J. Mitchell	430		227.90
30	W. W. Boyd	58		30.74
40	T. H. Miller	100		53.00
41	Mrs.R.L.Anderson	457		242.21
42	Millard Pasley & Heath	133		70.49
43	P. T. Greer	100		53.00
44	Moorer King	144		76.32
45	W. H Hawkins	73.3		38.85
46	Paul Sales	73.3		38.85
47	Jack Green	60		31.80
48	J. W. Lakey	60		31.80
49	J. F. Briggs	60		31.80
50	L. E. Davis	60		31.80
51	J.M.&.W.C.McConnell	60		31.80
52	Garland J.Watts	60		31.80
53	" " "	60		31.80
54	J. W. Rutherford	60		31.80
55	" " "	60		31.80

Lot No.	Name	Feet	Price	Amt.
56	J.W.Rutherford	60	.53	31.80
58	" " "	60	"	31.80
57	" " "	60	"	31.80
58	" " "	60.2	"	31.91
59	" " "	60.2	"	31.91
60	" " "	60.2	"	31.91
61	" " "	56.1	"	29.73
62	" " "	56.1	"	29.73
63	J. O. Watts	56.1	"	29.73
64	" " "	60	"	31.80
65	Paul J.Hawkins	445	"	235.85
66	S. E. Hull	250.	"	132.50
67	J. L. Williams	58	"	30.74
68	"	50	"	26.50
69	"	50	"	26.50
70	"	50	"	26.50
71	"	50	"	26.50
72	L. A. Plemmons	60.2	"	31.91
73	P. J.Mahon	60.2	"	31.91
74	" " "	60.2	"	31.91
75	Mrs.Charlotte Wilson	60.2	"	31.90
76	R. H. Roth	60.2	"	31.90
77	R. H. Roth	60.2	"	31.90
78	E. E. Hull	60.	"	31.80
79	Mrs. M. L. Garrett	60	"	31.80
80	J. E. Lewis	60	"	31.80
81	" " "	60.	"	31.80
82	Daisy M. Mitchell	60	.53	31.80
83	J. W. Jackson	60	"	31.80
84	R. Y. Gregory	169.75	"	89.97
85	C.W.Fairchild	33.75		17.96
86	J. J. Mackey	33.75		17.96
87	Leila H. Sumner	33.75		17.96
88	G. E. Elmore	56.6		30.00
89	B. F. Ingle	60.		31.80
90	M. Carland	60		31.80
91	M. Carland	60		31.80
92	M. Carland	60		31.80
93	R. J. Smathers	60		31.80
94	F. B. Ingle	60		31.80
95	M. Carland	60		31.80
96	R. P. Ashworth	60		31.80
97	H. V. Hipps	60		31.80
98	T. J. Miller	60		31.80
99	M. Carland	60		31.80
100	Presbyterian Church	100		53.00
				$ 4253.46

B. M. Lee, City Engineer.

- - - - - - - - - - - - - - - - - - -

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a sanitary sewer on Brownwood Avenue, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the tax collector for collection.

Brownwood Avenue Sewer

January 9th, 1918.

Built by City

Labor	41.35
150 ft 6" pipe	24.75
Sand	.15
Cement 1 bag	.40
Drayage, advertising	10.00
Engineering	19.95
	$98.70

Lot No.	Name	Feet.	Price	Amount.
64	Mrs. W E. Logan	70	.47	32.90
65	Lillian V. Horn	70	"	32.90
42	Lawrence Spivey	70	"	32.90
		Total	$	98.70

B. M. Lee, City Eng.

- - - - - - - - - - - - - - -

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a sanitary sewer on Rosewood Avenue, having been advertised in accordance with law, the liens were, on motion, declared complete and operative and a list of same ordered turned over to the tax collector for collection.

Rosewood Avenue Sewer

Built by City.

Labor	252.10
450 Ft. Pipe	74.25
8 bags cement at 80¢	6.40
Bricks 2400 at $16.50	39.60
Manhole Frames and covers 3 at $12.00 each	36.00
Sand	2.50
152 ft. 4" pipe at 9	13.68
4 pos. (8) at .59	4.72
Water Connections (8) at 7.50	60.00
Advertising etc.	20.00
Total - - - - -	$534.32

Assessed Property Owners.

Lot No.	Name	Feet	Price	Amount							
1	Whitson,Morris & Westall	50	.80	40.00	plus	water	&	sewer	connec.	$15.00	55.00
10	" " "	50	.80	40.00	"	"	"	"	"	15.00	55.00
11	" " "	57.9	.80	46.32	"	"	"	"	"	15.00	61.32
53	" " "	60	.80	48.00	"	"	"	"	"	15.00	63.00
54	" " "	105	.80	84.00	"	"	"	"	"	15.00	99.00
55	Misses Hawthorne	65	.80	52.00	"	"	"	"	"	15.00	67.00
70	Wm. McCants	65	.80	52.00	"	"	"	"	"	15.00	67.00
	Mrs. Hawley	65.	.80	52.00	"	"	"	"	"	15.00	67.00
				414.32						180.00	

B. M. Lee, City Eng.

...total and pro-rata cost to property ... of a sanitary sewer on Craven Street, having ... declared complete and operative ... collection.

... January 9th, 1928.

...ility.

	468.86
	133.75
	9.60
	59.20
	48.00
	3.00
	20.00
	27.97
	$754.38

...Property Owners.

Lot Number.	Name	Feet	Price	Amount.
103	J. ...	47	.54	25.38
103½	...	65	"	35.10
37	...	70	"	37.80
36	" "	70	"	37.80
35	" "	140	"	75.60
34	J. ... Hill	120	"	64.80
148	... Hill	40	"	21.60
147	...	37	"	19.98
146	Mrs. ...	37	"	19.98
145	J. L. Bradburn	37	"	19.98
144	Mrs. W. E. ...	37	"	19.98
140	Jude ...	30	"	16.20
13	" "	25	"	13.50
12	"	25	"	13.50
132	J. F. Hill	40	"	21.60
131	... M. Warren	40	"	21.60
130	Calder Brothers	29	"	15.66
129	"	29	"	15.66
128	J. H. Gilbert.	29	"	15.66
127	"	29	"	15.66
126		25	"	13.50.
125	" " "	25	"	13.50
124	" " "	25	"	13.50
123	Home Home	25	"	13.50
122	" "	25	"	13.50
121	" "	25	"	13.50
120	"	25	"	13.50
119	" "	25	"	13.50
118	" "	25	"	13.50
117	" "	25	"	13.50
116	" "	25	"	13.50
115	" "	25	"	13.50
114	" "	25	"	13.50
113	" "	25	"	13.50
112	" "	25	"	13.50
111	" "	25	"	13.50
110	" "	25	"	13.50
109	Orville Gutteridge	25	"	13.50
108	" "	25	"	13.50
107	" "	25	"	13.50
106	" "	25	"	13.50
105	" "	25	"	13.50
Total - - - - - - - - - -				-$754.38

B.M. Lee City Engr.

...letter in connection with the ... City Engineer calling attention to several irregularities in the road slab to be installed at the new incinerator by the Nye Obarlene Crematory Company, was read to the Board and on motion taken under advisement pending the return of the Commissioner of Public Works.

July 28th 1928.

To the Honorable Mayor ... Board of Commissioners,
City of Asheville, N.C.
Gentlemen:-

The plans for the charging slab - re-inforced concrete was handed to ... by Mr. ... of the Nye Obarlene Crematory Company to be checked for design and I find as follows:

... F s equal 16,000 lbs. per square inch and F c equals 650 lbs.

I find the slabs designed for incinerator floor as follows:

Slab a - the end slab -designed for a safe load of 260 lbs. per square foot, factor of safety 4. Slab b- the roadway slab - is designed for a safe load of 170 lbs. per square foot - slab c - the back of the furnace - is designed for a safe load of 600 lbs. per square foot - Slab d- the central slab directly over the furnace - is designed for a safe load of 150 lbs. per square foot. The beams supporting the otherwise unsupported parts of the ... slabs are designed covering a factory of safety of 5 for a floor load of 400 lbs. per square foot or a factor of 4 for 250 lbs. per square foot.

...values. ... that slab a ... apply strictly to the slab d ... only about 40% of the load that it will be subjected to.

You will note that roadway slab b will be ... to ... our sanitary trucks, which at present, I understand, often carry as high as ... truck total load, including truck, and also that these trucks dump on the floor so ... will be subjected to an additional shock load.

The center slab d will be subjected occasionally to the same load ... subjected to extreme changes of temperature as this slab is directly over the furnace. As it seems reasonable to expect that our sanitary trucks may be increased in weight and capacity it seems advisable that the roadway and center slabs should be sufficiently strong to care for a five ton loaded truck, giving a possible load of five to eight tons per truck.

It is recommended that slab b the roadway slab, be re-designed to carry 650 lbs. per square foot and that the center slab d be re-designed to carry 650 lbs. per square foot, or in any event not less than 600 lbs. per square foot.

Respectfully

T. ... Cox ...
... Engineer.

...

Weekly reports from the Street, Street Cleaning, Health, Incinerator, Engineer, Public Health Nursing Association, Plumbing Inspector, Building Inspector, City Plumber, City Engineer, Building and Loan, and the Dog Catcher, were read to the Board, and on motion ordered filed.

On motion, the following building permits were granted:

A. B. Bowles	Garage	15 Orman Street	Estimated Cost	50.00
E. H. Sutton	9 room residence	47 Evelyn Place	" "	12,500.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, July 28th. 1928. 11 o'clock A.M.

The Board of Commissioners met in regular session. Present: Mayor Roberts presiding. Members Fitzpatrick absent on official business. The minutes of the previous meeting were read and approved.

Harry S. Camp and George M. Wilson having filed bonds, sound health certificates and recommendations as required under the ordinance regulating public service automobiles in the city, and all papers being approved, their applications for licenses to operate public service automobiles in the city were approved and it was ordered that they be granted the license as requested.

On motion the following building permits were granted:

R.H.Johnson	sleeping porch	31	West St	Estimated Cost	$600.00
R. E. Mithlow	Garage	44	Spruce St	" "	3000.00
Alfred Scott	Horse Stall		Fairview St	" "	10.00

On motion, adjourned.

Secretary-Treasurer.

...y, July 31st, 1922. 11 o'clock A. M.

...regular session. Mayor Roberts

...proved.

...representing the Musical Festival

...ted as an invitation

...Festival as their guests.

...of the Board Association

this ...the members of the Board

...to give part in concerts at

...

...that the Board allow its band to

...P. M. and ending at 8 P. M. instead

two ...s letting ...lot two or three members

...rights.

...men that ...matter was in

could ...issue with

...half of the funds necessary to

...subscriptions.

...board, court record, doctor's certif-

...public service motor

...his application for license to

...approved and it was ordered that

...permits were granted:

...e Estimated cost 175.00

...

...-Two years.

Tuesday, August 1st, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The report of the Corporation Counsel, showing his investigation of the proposition of the citizens committee on the new Commercial Hotel, with reference to the dedication of a certain strip of land now owned by the City of Asheville and known as the Auditorium property, was read to the Board and on motion, ordered filed.

Messrs Herbert D. Miles and Julian Woodcock representing the citizens committee were present before the Board and stated that the dedication of the land requested was necessary for air and light space.

After some considerable discussion the matter was taken under advisement.

July 31st, 1922.

To the Honorable Mayor- Commissioner and Board
of Commissioners of the City of Asheville, N.C.

Gentlemen:

In re: proposed dedication Auditorium property for alley in accordance survey for proposed new Commercial Hotel.

In reply to your communication of the 26th instant requesting "legal advice in the premises" on the proposition of the Citizens Committee on the new Commercial hotel, with reference to the dedication of a certain strip of land now owned by the City of Asheville and known as the Auditorium property, I have to advise that I have given the same careful consideration, and made as complete search for legal authorities as time would permit, and in the outset have to advise that I have been unable to find a decision of the Supreme Court of any State involving exactly and identically the same facts as set forth in the petition of the Hotel Committee aforesaid. However the law appears to be that laid down in paragraph 1140 of McQuillin on Municipal Corporations Volume 3, pages 2508 -2509 as follows:

"In determining whether a Municipal Corporation may dispose of its property, several matters must be considered: First, it is necessary to ascertain whether the power is in any way affected by a statute or charter provision; Second the nature of the property held for a public purpose or for other purposes is generally material: third, the question whether the transfer is a sale or a gift may be important.

"The general rule which is well settled is that property held in a governmental capacity, i.e. for a public use cannot be sold or disposed of without legal authority but must be devoted for the uses and purposes for which it was intended; but it is otherwise as to property held in a private capacity and not devoted to any special public use. But the chief point of view from which this authority is regarded is the public interest. While it is a recognized rule of the common law, Municipal Corporations may, in so far as they possess private rights, dispose of their property without special authority from the State, this limitation exists; That property possessed and used by them as public agencies of the State for the purpose of governmental administration they cannot alienate without special authorization."

I think that the property held by the City for Auditorium purposes is affected by a statute and the nature of the property is such that it is held for a public purpose exclusively, and that the proposed dedication is neither a sale or a gift within its strict legal meaning.

The right of a Municipality to condemn land for street purposes is so obvious that it cannot be gainsay while, as stated above, the right of a Municipality to condemn for alley purposes property owned by the Municipality and acquired under similar instances as that of the Auditorium for a specific purpose, has never been passed upon by our court.

I hold the opinion, and so advise that, if the Board of Commissioners in the exercise of its sound discretion should find as a fact that the proposed strip of land, 20 feet wide, as shown on plat furnished me, is no longer necessary for use by the Municipality for the purposes under which this land was acquired by statutory enactment and vote of the people, and that the same was necessary and essential for alley purposes and should be dedicated to the public for the use aforesaid, the Board of Commissioners could proceed under the statutory power of condemnation in a proceeding in the nature of a condemnation proceeding, declaring said land to be unnecessary for Auditorium purposes and necessary and essential for alley purposes that the procedure would be valid.

Very respectfully,
(Signed) George Pennell

Corporation Counsel.

On the recommendation of the Mayor it was ordered on motion that a street light be installed at the intersection of Langwell Avenue and Ector Street.

A communication from the Corporation Counsel advising that in his opinion the deed conveying to the City of Asheville from the Protestant Episcopal Church a certain sewer line along Meadow Road, opposite the Roebling lands, in consideration of all charges and assessments for the cost of the laying and construction of said sewer line against the property of the Protestant Episcopal Church, was properly drawn and was presented to the Board.

The Commissioner of Public Works stated that, according to his recollection, the agreement between the City and the Protestant Episcopal Church stipulated that the water lines were also to be deeded to the City in consideration of the said assessments.

On motion, the matter was taken under advisement.

July 31st, 1922.

Honorable Mayor and Board of Commissioners,
City of Asheville, N.C.

Gentlemen:-

In re: Meadow Road Sewer.

In reply to your communication of the 26th inst. requesting advice in regard to the deed of the Protestant Episcopal Diocese for a right of way for a sewer line on Meadow Road I have to advise that I have carefully examined the deed executed by the Trustees for the Protestant Episcopal Church in the missionary district of Asheville, dated on the 29th day of May, 1922 which was sent me at the time of your request for investigation which deed appears to be in proper form and duly executed by the trustees aforesaid, which deed contains restriction that the Board of Trustees before mentioned convey an easement or right of way into and so much of said sewer line as lies between Meadow Road and all the easements and rights of way for said sewer line or in any manner connected therewith provided that the City relieves and discharges what is generally known as the Roebling lands and all charges and assessments for the cost of laying and constructing said sewer along Meadow Road opposite said Roebling lands which lands at the time of the construction of said sewer along Meadow Road were owned by said Trustees.

If this is the agreement between the Board of Commissioners and said Board of Trustees I advise you that same is properly set forth in deed before mentioned.

Very respectfully

George Pennell

Corporation Counsel.

On motion the following building permits were granted:

A. A. Minick	Garage	Brevard Road	Estimated Cost	$800.00
Miss Sherwood	2 room sleeping porch	#35 Victoria Rd	" "	300.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday August 2nd 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The application of one O.C.Burnett for license to operate a public service automobile in the City was presented to the Board and on motion, respectfully refused due to the criminal record of the said Burnett.

Asheville N.C. July 31st, 1922.

I, P. L. Stone, Deputy Clerk of the Police Court of the City of Asheville hereby certify that the following is a true and correct copy of the criminal record of O. C. Burnett in said Court, covering that period of years from January 1st, 1915 to date.

Date of Arrest	Charge	Disposition of Case.
January 1921	K. L. S.	$100.00 and costs
" "	C. T. and D.	Consolidated
" "	Receiving	"
June 1922	C. T. and D.	12 months County Road
" "	Driving auto. intox.	$50.00 and costs
" "	Speeding	Costs
" "	Traffic Ordinance	"
July 1922	No State License	Costs
" "	No City License	$1.75 of costs.

Witness my hand and the official seal of the Police Court of the City of Asheville, this the 31st day of July, 1922.

(City Seal)

P. L. Stone
Deputy Clerk of the Police Court
of the City of Asheville N.C.

On motion the following building permit was granted:

J. P. Lincoln	Shed	#114 Hazel Mill Road	Estimated Cost	$200.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, August 3rd 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of W. C. Brown Jr. that he be furnished a number for the house being erected by him on Delaware Street in Forest Hill and that the name of the street be designated by the city, was, on motion, referred to the City Engineer for investigation and report.

The request of W. C. Brown Jr. for a fire alarm box to be located somewhere in Forest Hill, was on motion, referred to the Commissioner of Public Safety for investigation and report.

The application of a crippled man for permission to sell pencils and chewing gum on the streets in the city, was, on motion, respectfully refused.

One T. F. Williams having filed bond, court record, doctor's certificate and recommendations as required under the ordinance regulating public service automobiles in the city and all papers being approved, his application for a license to operate a public service automobile was, on motion, approved and it was ordered that he be granted the license requested.

On motion, the Mayor was authorized and instructed to issue a check in favor of Sugg and Britt for $2812.20 part payment on the contract for the construction of certain sewer lines.

This in accordance with City Engineer's estimate of August 1st.1922.

Asheville N.C.August 1st, 1922.

Estimated cost of work done to date by Sugg and Britt on sewers in West Asheville, under contract with the City of Asheville.

15" sewer pipe furnished and laid	3415 feet	at	$1.75	5976.25
15" " " " not laid	650 "	"	.85	552.50
12" " " " laid	500 "	"	1.25	625.00
12" " " " not laid	200 "	"	.65	130.00
8" " " " laid	700 "	"	1.00	700.00
6" " " " "	3470 "	"	.80	2776.00
Brick on hand 18,000. at $17.00				306.00
Excavation beyond where the pipe is laid				600.00
				$ 11,665.75
Less 20% retained				2,333.15
				9,332.60
Less estimates rendered				6,520.40
Balance due contractors				$ 2,812.20

B. M. Lee, City Eng.

The application of one W. R. Ryan for permission to conduct a dance hall on the premises known as Roselawn Gardens on Buffalo Street, having been approved by the Chief of Police, Chief of the Fire Department and the Building Inspector, it was ordered that he be granted the license requested on the payment of the regular license tax.

July 31st, 1922.

To the Hon. Mayor-Commissioner-
and Board of Commissioners of the
City of Asheville N. C.

Gentlemen:

In re: application of W. R. Ryan to
conduct Dance Hall, Buffalo Street.

After having inspected the premises known as Roselawn Gardens, Buffalo Street West Asheville, N.C. upon which premises W.R.Ryan has applied for a license to conduct a dance on Thursday night, we hereby recommend that license be granted to him.

Respectfully yours

W. R. Messer	A. L. Duckett	F.F.Howell
Chief of Police	Chief of Fire Deprtment	Building Inspector.

On motion the following building permits were granted:

C. C. Bell	16 Arlington St	Garage	Estimated Cost	200.00
Albert Hoke	124 Poplar St	5 room house	" "	1000.00
Lucile Ingram	S. Liberty St	5 room house	" "	6000.00
C. L. Pinner	41 Hamilton St	Repairs	" "	250.00
Peter Shackles	80-82 Patton Ave	Repairs and remodeling	" "	10000.00

On motion adjourned.

Secretary-Treasurer.

Friday - August 4th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Safety, it was ordered on motion that Mrs. C. N. Lominac be appointed dance hall inspector for the dances conducted by Mrs. T.Lee Collins at #8 North Pack Square.

On the recommendation of the Commissioner of Public Safety it was ordered on motion that one T. R. Yarborough be granted a license, on payment of the regular license tax, to conduct a dance on Saturday night in the Langren Hotel Ball room.

Capt. R.L.Fitzpatrick,
City Hall,
Asheville N.C.

Dear Sir:-

Application is hereby made for license to operate a public dance in the Langren Hotel Ball Room on Saturday night, August 5th, 1922.

Respectfully yours,
T.R. Yarborough
c/o Langren Hotel.

The City Engineer reporting that it would be necessary for the city to designate the name of the street on which Mr. W.C.Brown Jr. is erecting the house in Forest Hill section before numbers could be provided for the houses on this street, it was ordered, on motion, that the name of the street in question, said street extending from Forest Hill Road into the Kenilworth property and now called Kenilworth Road be named and designated on the city's maps as far as the city limits, as Forest Hill Road.

File No. 4 Letters 2

Asheville, N.C. August 3rd 1922.

To the Hon. Mayor and Commissioners.
Gentlemen:-

The request of Mr. W. C. Brown Jr. for the city to designate the name of the street on which he is now building and give him the correct number for his house is referred to me for report. The present name ofthe street on which he is building is Kenilworth Road and is a continuation of Forest Hill Road or Drive. I think it would be well to select one of these names for its whole length within the city limits. The selection of a name will have to be made before I can properly number the houses.

Very respectfully
B. M. Lee, City Eng.

On motion, the Mayor was authorized and instructed to issue a voucher for the amount of $20,000.00 in favor of the Asheville Paving Company on their contract for the paving of Southside and Biltmore Avenues. This according to the estimate submitted by the City Engineer.

Asheville, N.C. August 4th, 1922.

To the Hon. Mayor and Commissioners,
Gentlemen:-

For your information will state that the Asheville Paving Company has done to date, on their contract with the City of Asheville for the paving of Biltmore Avenue and Southside Avenue as follows:

On Biltmore Avenue, sheet asphalt	5419	Yards at	$3.48	$-16,858.12
" Southside Avenue " "	550	" "	3.73	2,051.50
" " " 7 inch concrete foundation	-2200	yards at	$1.75	3,850.00

Besides the above subgrading has been done from near Blanton St. to Coxe St. west of the car-track.

Respectfully,
B. M. Lee, City Engineer.

Weekly reports from the Street, Street Cleaning, Health, Incinerator, Public Nursing Association, City Bacteriologist, Playground Supervisor, Colored Swimming Pool, Chief of the Fire Department, Building Inspector, Plumbing Inspector and City Plumber, were read to the Board and on motion, ordered filed.

BUILDING

On motion, the following building permits were granted:

J. J.Austin,	4 room house	Maple Street	Estimated Cost	1,200.00
J. A. Johnson	6 room house	37 Victoria Ave	" "	3,750.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, August 5, 1922- 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meetin were read and approved.

Messrs. Kingsland Van Winkle and Frank Carter appeared before the Board and complained that the registrar appointed to hold election on August 22nd for the Thirteenth Precinct was registering people on slips of paper, claiming that he did not have his registration books with him and would transcribe the names at a later date. The gentlemen contended that this was, to say the least, unfair and asked that he be immediately instructed to discontinue this practice.

These gentlemen were assured by the Commissioner of Public Safety that he would have the Chief of Police investigate the matter at once.

On motion, one Horace Chambers, (colored) a minister of the Fire Baptisting Holiness Church, was granted permission to preach on the streets of the city under the direction and supervision of the Chief of Police.

One E. L. Walker, having filed bond, court recort, doctor's certificate and recommendations, as required under the ordinance regulating public service automobiles, and all papers being approved, his application for license to operate a public service automobile in the city was approved and it was ordered that he be granted the license requested.

A report from the Dog Catcher was read and, on motion, ordered filed.

On motion, the following building permit was granted:

E. L. Finkelstein	1 Room	23 Biltmore Avenue	Estimated cost	$ 1,600.00

On motion, adjourned.

Secretary-Treasurer.

Monday, August 7, 1922--11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Representatives of the Buchanan estate appeared before the Board and complained of the assessments of $292.13 against the property of the said estate on account of the re-surfacing of Valley Street, contending that they had just finished paying for the pavement of this street and that the street was originally taken off of their property.

This matter, on motion, taken under advisement.

The complaint that one of the property owners on Frederick Street had fenced in part of the street was, on motion, referred to the City Engineer for investigation and report.

The application of T. R. Yarborough for permission to conduct a dance in the Langren Hotel dance hall for a period of six months beginning August 5th was presented to the Board and the location having been passed on and a favorable report having been made by the Chief of Police, the Chief of the Fire Department and the Building Inspector it was ordered that they be granted the license requested on the payment of the regular license tax.

On motion, the following building permits were granted:

J. E. Rankin	Garage	29 Merrimon Ave.	Estimated cost	$ 40.00
J. E. Smith	5 room Bungalow	Madison Ave.	" "	3,000.00
A. J. Wells	6 " Dwelling	Brevard Road	" "	5,500.00
Porter Smith	4 " "	34 Hermon Ave.	" "	700.00
Henry Medford	3 " "	Electric St.	" "	1,200.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday August 8th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney R. R. Reynolds representing one O. C. Burnett whose application for a public service chauffeur's license was disallowed by the Board on account of his criminal record, appeared before the Board and in behalf of his client, submitted recommendations from H. Solon Hyder, McKee Cooper of the Cooper Motor Company, Charles L. Barefoot of Ramsey and Company, Max A. Hayes of the Western Carolina Auto Co. Marcus Erwin and R. R. Reynolds.

After some discussion during which Burnett assured the Board personally that he expected to make every effort to make good and live down his past record, On the recommendation of the Commissioner of Public Works it was ordered that he be granted the license as requested, he having filed all of the papers required under the Ordinance regulating the conduct of Public Service Chauffeurs in the city.

Attorney J. G. Anderson representing a Mr. Wilson complained of a guy wire belonging to the local telephone company in front of a house now being erected by his client on Cumberland Avenue; it was explained to Mr. Anderson by the Commissioner of Public Works that he had investigated the matter and found that it was necessary to have an anchor line for the telephone wires in that vicinity, however, Mr. Erskine, the manager of the local telephone company had assured him that he would have the wire moved to the property line thereby eliminating the complaint.

On motion, it was ordered that the paving assessment against the property of A.S.Moore near Beacham's Curve on account of the paving of Haywood Road be exempted $50.00. This action taken in view of the fact that Mr. Moore's property was located on a bank and that the property adjoining him had been rebated that amount.

The application of the business manager of the Pack Theatre for permission to conduct dances in the lobby of the Pack Theatre between the hours of 10:30 P. M. and 12 o'clock P. M. on each week day night was, on motion, referred to the Chief of Police, Chief of the Fire Department and the Building Inspector for investigation and report.

An Ordinance regulating the operation of Motor busses in the City, was read to the Board and on motion, passed on its first reading.

Report showing the cash collections of the Department of Public Safety was presented to the Board, and on motion, ordered filed.

On motion the following building permit was granted:

W. C. Dean	7 room house	Arlington St	Estimated Cost	$5,000.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, August 9th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Assistant Engineer Coxe appeared before the Board with Mr. Wm. Johnson Jr. and stated that Mr. Johnson was very much interested in widening Haywood Road to a uniform width of 70 feet joining the property owned by Mr. Baker and was anxious for the Board to attempt to get Mr. Baker to join him in giving land for this improvement. Mr. Coxe stated that Mr. Baker was willing to give the necessary land provided the city would guarantee the street being widened back to the end of the car line.

Commissioner Sherrill stated that in his opinion the proposed improvement was most important and that on two occasions he had held conferences with Mr. Baker who stated that the plat of his property has already been completed, that he was going to have a sale on next Tuesday and that he did not care to change his plat to interfere with his present arrangements. However, Commissioner Sherrill assured Mr. Johnson that if he could get an appointment with Mr. Baker that he would do everything in his power to endeavor to secure the proposed improvement.

On motion the Curry Motor Company was granted permission to demonstrate puncture proof tires on the streets of the city outside of the congested district under the direct supervision and according to the direction of the Chief of Police.

Judge Spears Reynolds, representing himself, Mr. Nixon and other property owners on Coleman Avenue appeared before the Board and stated that if the City would grade Coleman Avenue between Merrimon Avenue and Conestee Street according to the City Engineer's survey the property owners themselves would furnish gravel in order to make the street passable during bad weather. This matter, on motion, referred to the Commissioner of Public Works for investigation and report.

Messrs. Charles C. Lee, Holmes Bryson, R. R. Williams. A. G. Barnett, J. V. Martin, H. E. Gruver, E. C. Greene, Don Elias, Walter Haynes and Rev. Dr. R. J. Bateman representing the Asheville Progressive Club, appeared before the Board and Mr. C. G. Lee acting as spokesman presented a resolution requesting the Board to postpone the proposed election to be held on the 22nd day of August, 1922 until after the next meeting of the Legislature in January 1923.

On motion, duly seconded and unanimously adopted it was ordered that the request of the gentlemen present be complied with and that the resolution presented be adopted and embodied in the minutes and the Clerk be instructed to prepare an Ordinance to rescind the Bond Ordinance heretofore adopted.

To the Honorable Board of Commissioners,
of the City of Asheville:

We present the following preamble and resolution:

WHEREAS, in the conduct of the campaign looking to the voting of the One Million Dollar Bond issue for general improvements, we have discovered.

First, that we have not had sufficient time in which to conduct a proper educational campaign to inform the general public concerning all phases of the issue and have not had up to this time the advantage of such recommendations as the City Planner might make; and

WHEREAS, it has never been the purpose of the friends of this movement to coerce or mislead the citizens of Asheville with reference to this measure; and
WHEREAS, we desire to act in proper good faith with all concerned.
NOW THEREFORE, BE IT RESOLVED:
First, that out of deference of the foregoing we respectfully ask this Board of Commissioners to postpone this election until after the meeting of the Legislature in January 1923, at which time all legal contingencies may be satisfactorily determined.

Second: In presenting these resolutions, we desire to express our appreciation of all the enthusiastic support which we have received from various and much appreciated quarters:

We believe that the entire populace of Asheville when properly informed and assured concerning this movement will be entirely ready to move as an unbroken unit in this direction of progress.

We express in this preamble our appreciation for such constituency, feeling sure that when the proper time comes following this legislative enactment that even those who are in opposition will be among our most ardent helpers; for the final and most consequential effort in which Asheville has ever been lead.

Respectfully submitted:
ASHEVILLE PROGRESSIVE CLUB.
By Holmes Bryson - Chairman.

On motion, it was ordered that Hal Cochrane be refunded $18.75 of the $25.00 paid by him on June 19th to engage in the business of dancing teaching in the city.

This action taken in view of the fact that the ordinance passed since the date of the license issued to Mr. Cochrane, prohibits Mr. Cochrane from conducting his dances in the building in which he was conducting them and it is impossible for him to secure another suitable location.

On the recommendation of the Commissioner of Public Safety it was ordered that the bond presented by J. I. Chaney, signed by himself and C. W. Chaney, same being approved by the City Solicitor, be substituted in lieu of two one hundred dollar Liberty Bonds, deposited with the Secretary Treasurer, as bond under the Ordinance regulating the conduct of Public Service Automobile Chauffeurs in the City.

The application of the Pack Theatre for a license to conduct a dance in the lobby of the said theatre, on each week day night, between the hours of 10:30 and 11 o'clock P. M., having been approved by the Chief of Police and the Building Inspector, it was ordered that the license requested be granted, on payment of the regular licence tax.

August 9th, 1922.

To the Hon. Mayor and Board of City Commissioners of the
City of Asheville, N.C.

Gentlemen:-

After having inspected the Lobby of the Pack Theatre, in which place license is requested to conduct dancing every night after 10 o'clock we hereby recommend that the license be granted as the building in all respects complies with the Dance Hall Ordinance.

W. R. Messer
Chief of Police
F. P. Howell
Building Inspector.

A communication signed by J. Scroop Styles advising that the car owned by Mr. Anson Brown while passing the entrance to Valley Street skidded into a car owned by Mr. W.H.Darry damaging both cars to the amount of approximately $50.00 - The accident being caused due to mud left on the streets by the construction company and asking whether or not the city wished to negotiate a settlement of the matter out of court, was read to the Board and on motion, referred to the Corporation Counsel for handling with the bondsmen of the Asheville Paving Company who has charge of the paving construction on Biltmore Avenue.

City of Asheville
Asheville, N.C.
Gentlemen:-

August 8th, 1922.

This afternoon a car owned by Mr. Anson Brown while passing the entrance to valley street where the Construction Company is removing dirt across the street, skidded into a car owned by W. H. Darry damaging both cars to the amount of approximately $50.00

There was no fault on the part of either party the accident being solely due to mud left on the street. These parties have asked me to communicate with you and say that if you will repair the damage the matter can be adjusted on this basis. Kindly advise me if you wish to negotiate a settlement of this matter out of court.

Yours respectfully-
J. Scroop Styles

JSS/ES
CC/Construction Company
and A.H.Carrier.

File No. 89 Letters Sent

An Ordinance regulating the operation of motor busses in the City, was read to the Board and on motion, passed on its second reading.

On motion, the following building permits were granted:

Mrs. Geo. Bell	Repairs	299 College St	Estimated Cost	100.00
James Hare	Addition	54 Central Ave	" "	600.00
James R.Hare	Garage	54 Central Ave	" "	300.00
C. J. Ingall	5 room house	Bradley Hill	" "	3000.00
C. L. Renfroe	4 room house	East Street	" "	2500.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, August 10th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A representative of the Vance Theatre appeared before the Board and requested permission to swing a banner over the sidewalk in front of the Theatre advertising one of the films to be exhibited.

On motion the request was refused, it being explained to the gentlemen present that same was in violation of one of the city Ordinances.

One Mr. Bambauger representing the Railway Firemen's Organization appeared before the Board and stated that he was informed that the Medical Society of the City intended to take the matter of smoke abatement in the city up with the Board of Commissioners, and he asked that his organization be allowed to be represented when the matter was taken up.

Mr. Bambauger was assured by the Board that his organization would be given the opportunity of being heard in the matter.

The report of the Jury showing benefits and damages assessed by reason of the condemnation of certain land for a right of way for a sewer line to be constructed from Haywood Road to Hominy Creek, to accommodate the Logan School and other property in that vicinity, was presented to the Board and on motion duly seconded, was unanimously adopted.

To the Honorable Mayor and Board of Commissioners of the City of Asheville, N. C.

We, the undersigned jurors, having been duly summoned and sworn to assess damages to the lands of:

F. B. Ingle	Fred Kent	City of Asheville	A. C. Rhudy
G. M. Andrews	J. C. Reagan	Mrs. W.R. Earwood	J. R. Durrett
E. M. Freck	W. E. Elkins	Mrs. M.E.Oliver	M. C. McCain
L. J. Moses	Lillie O.Brown	W. E. Logan Est.	Henry Justice
M. A. Ryerson(Hugle Agt)		Robert Feimster	Love James
Eugenia Finley	M. M. Harden	Tom Wilson	Mrs. Helen Perdue
Mrs.C.P.McClintock Estate-		Nettie Waddell Brenizer	
D. M. &. F. R. Williamson	and	Asheville Power and Light Company.	

owners of land situated, lying and being in the City of Asheville, a portion of which premises is required by the Board of Commissioners of said City for the purpose of a sanitary sewer as surveyed and staked off by the City Engineer from Haywood Road to Hominy Creek and also to view the lands contiguous thereto and of the said parties mentioned in said writ, we find as follows:

That the lands of the above named property owners are damaged no/100 dollars.

That the lands of the property owners as named on the other side of this sheet are benefited no/100 dollars.

Respectfully submitted.

C. F. Sumner
M. W. Hamrick
C. Sawyer
J. K. Chambers
David Kimberly
Archibald Nichols.

One J. L. Sharpton having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance regulating public service automobiles in the city and all papers being approved, his application for a license to operate a public service automobile was, on motion, approved and it was ordered that he be granted the license requested.

On motion the following building permits were granted:

A. L. Bright	148	Brevard Road	Repairs	Estimated Cost	$50.00
A. L. Bright	733	Haywood Road	Addition	" "	1500.00
P. F. Conway		Edwin Place	8 room house	" "	15000.00
W T. Paulk		Edwin Place	6 " "	" "	7500.00
Grace Thompson		Mountain St.	1 room	" "	80.00
Arthur Williams		Southside Ave	4 room house	" "	2000.00

On motion, adjourned.

Secretary-Treasurer.

Friday, August 11th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A complaint with reference to the blocking of Walnut Street due to the construction of the Loughran Building at the intersection of Walnut and Haywood Street was, on motion, taken under advisement, the Board agreeing to investigation conditions in person.

The complaint of the Asheville Telephone & Telegraph Company of the smoke from the hoisting engine employed in erecting the steel, in connection with the construction of the Loughran Building was also, on motion, taken under advisement.

The complaint of Mr. T. E. Ray of the assessment charged against his property on account of the construction of a sanitary sewer on Fairfax Street, was on motion, taken under advisement.

Attorney R. R. Reynolds appeared before the Board and made the following suggestions in regard to the proposed Ordinance regulating the operation of Motor busses in the city.

First: That the words " and carrying more than seven passengers" in Section 1, be eliminated so that all public service motor vehicles would be included.

Second: That Section 11-A be eliminated.

Third: That Section 14, be eliminated for the reason that bus lines make more money during the summer season; unless they can be allowed to carry a large number of passengers during this season, they cannot afford to operate.

Fourth: That after the word "owner" in line 7 of Section 16 the words "and the said Chief shall issue a receipt for same," should be added.

Fifth: In Section 18, strike out the words "or with more than one additional person therein in addition to the rated capacity thereof".

Sixth: In Section 22 strike out the word "shall" in the last line thereof and insert in lieu thereof, the word "may"

Seventh: Add a new section after Section 22 thereof to the effect that all cars and busses be required to make bond to operate 12 months each year.

On motion, the suggestions made by Attorney Reynolds were taken under advisement.

On motion, it was ordered that the special license granted Poore and Lewis to sell, cigars, cigarettes and tobacco at #36 Charlotte Street be transferred to Carpenter and Gibson, they having purchased the business.

An Ordinance amending the Ordinance regulating traffic within the city of Asheville, was presented to the Board and on motion passed on its first reading.

One W. M. Alexander having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance regulating public service automobiles in the city and all papers being approved, his application for a license to operate a public service automobile was, on motion, approved and it was ordered that he be granted the license requested.

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a certain sewer line on Brownwood Avenue was presented to the Board, and on motion, ordered advertised according to law.

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a 6 inch and 8 inch sanitary sewer on Fairfax Avenue, having been advertised according to law, the liens, were, on motion, declared complete and operative and a copy of same ordered turned over to the Tax Collector for collection.

July 10th, 1922.

6 and 8 inch. Pipe sewer
Fairfax Street

Built by the City.

Labor	1411.07	
1675 feet 6 in pipe @ 17¢ ft.	284.75	
425. " 8 " " " 26¢ "	119.00	
26 bags cement at 80 cents	20.80	
6200 brick at $14.50 per M	89.90	
8 manhole frames and coverd	59.60	
3 yards sand at $1.30 per yard	3.90	
Advertising	20.00	
Engineering	62.13	
		$2071.15

Assessed Property Owners

Lot No.	Name	Feet	Price	Amount.
29	J. D. Penland	120	.575	69.00
28	" " "	120	"	69.00
27	E. B. Wright	120	"	69.00
97	J.L. Williams	50	"	28.75
96	L. M. Plemmons	50	"	28.75
101	J. L. Williams	60	"	34.50
102	J. M.Randall	60	"	34.50
103	Randolph and Hall	60	"	34.50
104	J. V. Roberts	60	"	34.50
105	" " "	60	"	34.50
106	Ed Bell	60	"	34.50
107	W. F. Rogers	60	"	34.50
108	J. H. Roberts	60	"	34.50
109	" " "	60	"	34.50
110	Daisy M. Mitchell	60	"	34.50
111	J. F. Jackson	60	"	34.50
112	Matt Engleman	60	"	34.50
113	R. A. McRary	60	"	34.50
114	J. E. Bell	60	"	34.50
115	" " "	60	"	34.50
116	J. V. Roberts	60	"	34.50
117	John M. Gaddy	60	"	34.50
118	" " "	60	"	34.50
119	T. E. Ray	55	"	31.63
120	" " "	55	"	31.62
121	" " "	55	"	31.63
122	" " "	55	"	31.62
123	" " "	60	"	34.50
51	Louis Whitworth	178	"	102.35
52	Matt Engleman	60	"	34.50
53	Mrs. N.B.Franklin	60	"	34.50
54	G. H. Morris	60	"	34.50
57	E. F. Wilson	152	"	87.40
58	Mrs. M.A Alexander	152	"	87.40
60	J. H. Towe	65	"	37.38
62	" " "	60	"	34.50
62½	" " "	60	"	34.50
64	Virginia Pope	60	"	34.50
66	W. C. Penland	60	"	34.50
68	O.J.Judd	60	"	34.50
68½	F. B. Ingle	60		

Lot No.	Name	Feet	Price	Amount.
70	Virginia Pope	60	.575	34.50
72	Mrs. Edith L. Humber	60	"	34.50
73	Lucy B. Wells	40	"	23.00
73	Robert L. Duckett	53.5	"	30.76
71	E. Carland	53.5	"	30.76
69½	Chas. A. Brookshire	53.5	"	30.76
67	E. Carland	53.5	"	30.76
66	" "	53.5	"	30.76
63½	" "	53.5	"	30.76
63	" "	53.5	"	30.77
61½	" "	53.5	"	30.76
61	" "	53.5	"	30.76
59	" "	53.5	"	30.76
				30.77

$ 2071.15

B. M. Lee, City Eng.

On motion, adjourned.

Secretary-Treasurer.

Saturday, August 12th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney R. R. Reynolds representing Twifords Shoe Store on West Pack Square appeared before the Board and complained that the noise and smoke from Public Service automobiles was causing his client considerable annoyance.

It was explained to both Mr. Reynolds and Mr. Twiford by the Commissioner of Public Safety that the proposed Ordinance regulating traffic in the city would probably eliminate the nuisance complained of.

Mr. T. M. Jackson appeared before the Board and protested with reference to the provision in said proposed Ordinance regulating traffic prohibiting public service cars from parking in front of the Library Building. Mr. Jackson stated that in his opinion there was less congestion at this point than at any other point where public service cars are stationed and suggested that either a specific number of public service cars be allowed to use this place or that the ordinance be amended to include East College Street.

On motion, Mr. Jackson's suggestions were taken under advisement, the proposed Ordinance, however, being introduced and passed on its second reading.

The Ordinance regulating the operation of motor busses in the city was presented to the Board. Attorney R. R. Reynolds, representing local interests was present and requested that Section 1 be amended by striking out the words " and carrying more than seven (7) passengers" contending that if this portion of the Ordinance was allowed to stand, 7 passenger and under 7 passenger cars could operate within the city without giving bond and this would force his clients to probably sell their busses and put in seven (7) passenger cars.

The Board, however, declined to make the amendment suggested by Mr. Reynolds, the Mayor explaining that the Ordinance proposed was an exact copy of the Ordinance now in force in Richmond and other large cities and that in his opinion the large bus hauling from 15 to 25 passengers was a great deal more dangerous than a seven passenger car.

On motion, the Ordinance as proposed was placed on its third and final reading and being for the immediate preservation of the public peace and safety of the citizens of the city of Asheville it was, on motion, declared an emergency Ordinance to take affect immediately after its first publication in a newspaper published in said city.

A complaint that one of the ornamental lights on Haywood Street in front of the Haywood Garage was broken off and a part of the wires and bolts projecting above the sidewalk, was, on motion, referred to the Commissioner of Public Works for investigation and report.

On motion, the Commissioner of Public Works was authorized to secure an estimate of the cost of repairs to the houses on the Post House property and submit the same to the Board for its consideration.

One John Thrash having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance, regulating public service automobiles in the city, and all papers being approved, his application for a license to operate a public service automobile, was, on motion approved and it was ordered that he be granted the license requested.

WEEKLY

Weekly reports from the Street, Street Cleaning, Health, Incinerator, Public Health Nursing Association and City Bacteriologist also from the Playground Supervisor Building Inspector, Plumbing Inspector, City Plumber. Dig Catcher , City Sealer of Weights and Measures and the colored swimming pool, were read to the Board and on motion ordered filed.

On motion, the following building permits were granted:

J. F. Cunningham	Sleeping Porch	#141 Washington Road	Estimated Cost	500.00
H. C. Foster	1 room addition	73 Ridge Street	" "	150.00
Luella F.Dunn	5 room house	West Chestnut St	" "	3000.00
J. P. Green	4 room house	22 Craven Street	" "	1500.00

On motion, adjourned.

Secretary-Treasurer.

AN ORDINANCE TO REGULATE THE OPERATION OF MOTOR BUSSES WITHIN THE CITY OF ASHEVILLE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That any person, firm or corporation operating for hire any public conveyance propelled by steam, compressed air, gasoline, electricity, or other motor power, for the purpose of affording a means of street transportation similar to that afforded by street railways but not operated upon fixed tracks, indiscriminately accepting and discharging such persons as may offer themselves for transportation to be transported to any point whether within or without the corporate limits of the City of Asheville (~~and carrying more than seven passengers~~, commonly called a jitney motor bus or sight-seeing bus) be and the same is hereby declared and defined to be a motor bus, and shall be subject to all the requirements and regulations of this ordinance.

Section 2. No person, firm or corporation shall engage in the business of operating any motor bus within or into any part of the City of Asheville without first obtaining from the Board of Commissioners a special license for each and every vehicle to be employed by such person, firm or corporation in said business, and unless such license for such vehicle is in force according to the provisions of and subject to this ordinance.

Section 3. Every applicant for a license to operate any such motor vehicle shall apply to the Board of Commissioners in writing for a permit for such license which application shall set forth:

1. The streets or highways, squares or avenues over which, and the fixed termini and regular route upon which and over which the applicant intends to operate.

B. A schedule of operations showing the effective date thereof, the time of arrival and departure from immediate intermediate points.

C. A schedule of tariff showing the fares to be charged between the several points or localities to be served.

D. The seating capacity showing the size and number of seats, which application shall be verified as to the truth of the statement therein contained by oath of the person making such application if a natural person and by an officer thereof if the applicant is a corporation and if the applicant is a partnership or company, by a member thereof, which shall show the name, age, residence and business address if the applicant is a natural person; if a corporation its name, date of incorporation and place of business; if a partnership or company the names of the partners of the business composing the company with the business address of each partner of the company.

Section 4. Before such license is granted the motor bus shall be inspected by a competent mechanician designated by the Board of Commissioners aforesaid and no license shall be issued until a careful inspection has been made by such mechanician, the cost of the inspection to be paid for by the applicant in advance and a report rendered as to the standard seating capacity and proper equipment of such vehicle for safe and efficient operation. After such license has been granted a similar inspection and report shall be made at least once every six months. Every such vehicle shall be maintained at all times in a safe and sanitary condition and shall be at all times subject to inspection by the Board of Commissioners or their duly authorized representative. Willful refusal of the operator of any motor bus to stop the same in order to do so by any such representative of the Board of Commissioners, or to permit any such representative to enter into or upon the same for the purpose of making an inspection is sufficient grounds for the revocation or suspension of such permit.

Section 5. All motor busses as defined herein and the equipment used in connection therewith must at all times be kept in a proper physical condition to render safe, adequate and proper public service, so as not to be a menace to the safety of the occupants or the general public. Failure to keep such motor vehicle in such condition is sufficient grounds for the revocation or suspension of such permit.

Section 6. Every motor bus operating or doing business into or within the corporate limits of the City of Asheville shall be equipped with satisfactory brakes to be maintained in good condition at all times and with a braking power sufficient to lock the rear wheels of the vehicle when brakes are applied and vehicle operated at a speed of ten miles per hour with a standard speedometer maintained in good working order, with a suitable horn or other similar warning device, with at least one extra tire when leaving any termini within the corporate limits or coming into the corporate limits from a point outside with at least one extra serviceable tire, with a set of skid chains to be applied to the rear wheels whenever necessary to prevent skidding, which shall be applied to the rear wheels when such motor bus is operated in any street or public place within said city where there is snow or ice or during other weather conditions when the appliance of such chains is necessary to prevent skidding, and all closed busses must be equipped with electric lights so located as to provide for good illumination of the interior, platform and steps of such busses, such lights must be kept lighted at night and at all other times when the lack of such illumination may result in danger or discomfort to passengers. Shades or screens may be provided to protect the driver from back glare, if so arranged that they will not obstruct the proper illumination of the doorsill and step, and must also be equipped with a liquid fire extinguisher of a design and type approved by the Chief of the Fire Department of said City.

Section 7. Between November 1st and April 1st of each year all motor busses must be equipped with suitable heating apparatus.

Section 8. All motor busses must be kept in a clean and sanitary condition. The busses must be thoroughly swept and dusted at least once each day. At least once every seven days the interior woodwork, glass and floors must be thoroughly cleaned with an antiseptic solution, subject to the Health Officer of said City, and all closed motor busses in service shall be kept well ventilated and shall have at all times at least two ventilators open, preferably one near the front end of the bus and the other at the rear end of the bus.

Section 9. The holder of any license under the provision of this ordinance shall not reconstruct, materially alter, modify or add to the body or seating arrangement of any motor bus after the license thereof is issued without first applying for and receiving consent of the Board of Commissioners.

Section 10. The operators of motor busses are prohibited from transporting within or on any motor busses any inflammable or explosive articles such as liquid nitrogen, dynamite, fire works, petroleum oil in packages, phosphorus or other combustible and dangerous articles.

Section 11. The operators of motor busses shall provide tickets for passengers, which tickets must be destroyed after collection from a passenger

Section 12. It shall be the duty of the operator of any motor bus to immediately report to the Chief of Police all accidents arising in connection with the operation of motor busses, which report must be in writing and shall set forth the following.

A. Time and place of accident.

B. The name of the company or persons owning the line of car.

C. The name of the driver or chauffeur.

D. The City and State license numbers; also make and type of car.

E. Number of passengers if any in car involved.

F. The name or names of person or persons injured or killed.

G. The names and addresses of passengers and witnesses, if any.

H. Approximate amount of property damage done.

I. A full and complete report of accident, cause, party or parties responsible, if any, condition of street, weather conditions, speed of car or cars involved.

Section 13. No persons operating any motor busses so licensed shall take on or discharge passengers while such motor busses are in operation, and shall only stop for the purpose of taking on or letting off passengers on the near side of any street, or as close thereto as practicable,

except as otherwise directed by the Commissioner of Public Safety, and passengers shall not be permitted to enter or leave a motor bus except through and from the side door nearest the curbing, except passengers occupying the front seat where the driver is seated on the right-hand side of said motor bus, and no persons operating any motor vehicles shall drink any intoxicating beverage or use morphine, cocane, opium or other harmful drug of any kind or be under the influence thereof while engaged in operating such motor bus.

Section 14. The driver of any motor busses licensed thereunder shall carefully preserve any money or other property left in such vehicle by any passenger if not called for by the owner within twenty-four hours such property shall thereupon be turned over to the Chief of Police of the City of Asheville, and said Chief shall give a written receipt therefor, for safe keeping and identification by the owner. When such money or property shall have been identified and the ownership thereof established the same shall be promptly delivered to such owner, and any property whether money or other thing which shall not be called for within three months shall thereupon be re-delivered by the said Chief of Police to the person, firm or corporation by whom such property was turned over for safe keeping and identification by the owner.

Section 15. It shall be the duty of every person, firm or corporation operating a motor bus licensed hereunder to keep posted in a conspicuous place on the outside of such bus its license number, route and charge for transportation, which notice or sign must be plainly visible and clearly lighted both day and night, whenever such vehicle is being operated for the purpose of transporting passengers under authority of this ordinance.

Section 16. Every person, firm or corporation holding a license shall operate the motor busses so licensed along the route and between the termini according to the scheduled route and for the fare specified in application for license, and such other busses shall be operated over the route named therein.

Section 17. No person, firm or corporation operating under the provision of this ordinance shall operate any motor bus or permit any motor bus to be operated while any person is standing or sitting on the running board or fender thereof, or while any person is standing or sitting on the body thereof, and it shall be unlawful for any person to stand or sit upon the fender or running board of any such motor vehicle, or to occupy a position outside of the body of the same while the said motor bus is in motion.

Section 18. No person operating any motor bus licensed under this ordinance shall speed up and cut in ahead of another vehicle or street car in order to take on any passengers.

Section 19. Every person, firm or corporation before operating under the provisions of this ordinance shall procure and file with the Secretary-Treasurer of said City a policy or policies of liability insurance with a reliable and responsible corporate Surety Company, authorized to do business in the State of North Carolina, in form to be approved by the Solicitor of the Police Court, indemnifying such licensee in the sum of at least Five Thousand ($5,000) Dollars for injury to one person and Ten Thousand ($10,000) Dollars for injury to more than one person for the same accident, and One Thousand ($1,000) Dollars property damage in any one accident for which the driver of said motor bus may be held liable. The said policy shall further contain a clause obligating the insurance company to give five days' written notice to the Secretary-Treasurer upon cancellation of such policy and the license granted under this ordinance shall ipso facto be revoked by the lapse, cancellation or termination of said policy of insurance, unless the same shall have been renewed or replaced, or a new policy obtained and filed as herein required by the licensee; such liability policy shall contain a further provision that the insolvency or bankruptcy of the person, firm or corporation insured shall not release the insurance company from the payment of damages for injuries sustained or death by wrongful act or loss incurred, and in case of a recovery against the insured on account of any such injury, death or loss that the insurance company will pay on account of the judgment recovered in any such action, an amount equal to but not exceeding the amount of the policy or of the judgment and that the policy may be sued upon at any time.

Section 20. The license issued by the City of Asheville now in force in favor of any person, firm or corporation for such business as is by this ordinance regulated shall cease to be in force from and after ten days from the date of passage and going into effect and force of this ordinance, and on and after such date it shall be the duty of every person, firm or corporation now operating or desiring to operate a motor bus as defined herein, to make the application herein required and require that all of the terms and provisions hereof must be complied with.

Section 21. That any person, firm or corporation violating any of the provisions of this ordinance upon conviction shall be subject to a penalty of Fifty ($50.00) Dollars for each and every such offense, and the license issued to such person, firm or corporation to operate any motor bus shall be revoked.

Section 22. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

Section 23. That this ordinance being for the immediate preservation of the public peace and safety of the citizens of said city, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in said City.

I move the adoption of the foregoing ordinance this the 1st day of _____ 1922.

_____
Commissioner.

Approved as to form:

_____
Corporation Counsel.

Monday, August 14th 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of D. W. Hill and others for a water line on Arden Road in Forest Hill, was, on motion, referred to the Commissioner of Public Works for investigation and report.

The suggestion of Postmaster D. W. Hill that the white lines on Patton Avenue near the Post office be moved to below the mail box, in order to relieve congested conditions at this section of the street, was on motion, referred to the Commissioner of Public Safety.

A request that Wallack Street be repaired with the asphalt taken off Southside Avenue was, on motion, referred to the Commissioner of Public Works for investigation and report.

On the recommendation of the Commissioner of Public Safety, it was ordered that the nuisance caused by the smoke from the hoisting engine being used in the erection of the Loughran Building at the intersection of Walnut and Haywood Street be eliminated within three days or that the contractor in charge of the work be required to cease using the engine.

On motion, it was ordered that the Purchasing Agent be authorized and instructed to advertise for bids on furnishing the city's supply of coal for the next winter, said bids returnable in 15 days.

The Ordinance amending the ordinance regulating traffic conditions within the City of Asheville, was presented to the Board and on motion, unanimously adopted, passed on its third and final reading and being for the immediate preservation of the public peace and safety of the citizens of said city was declared an emergency Ordinance to take effect immediately after its first publication in a newspaper published in said city.

AN ORDINANCE AMENDING THE ORDINANCE
REGULATING TRAFFIC WITHIN THE CITY
OF ASHEVILLE.

THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE DO ORDAIN:

CHAPTER 1.
INTERPRETATION.

Section 1. That in this Ordinance unless the context otherwise requires the expression:

1. "MOTOR VEHICLES" shall apply to and mean all vehicles propelled by any power other than muscular power which do not run upon a rail, except public service automobiles.

2. "PUBLIC SERVICE AUTOMOBILES" shall apply to and mean automobiles kept and offered for hire whether by the trip, hour or day.

3. "PARKING" shall apply to and mean the stopping or bringing of any vehicle to a complete stop, provided, however vehicles stopping on instructions from police officials or for causes beyond the control of the driver or chauffeur shall not be deemed as parked or parking within the meaning of this clause.

4. "CONGESTED DISTRICT" shall apply to and mean the business and more closely built up portions of the City of Asheville, more specifically described and defined as follows:

BILTMORE AVENUE from its intersection with Aston Street to its intersection with Pack Square.

BROADWAY from its intersection with Woodfin Street to its intersection with Pack Square.

CHURCH STREET from its intersection with Aston Street to its intersection with Patton Avenue.

DEPOT STREET from its intersection with Bartlett Street to its intersection with Else Alley.

EAST COLLEGE STREET from its intersection with Broadway to its intersection with Market Street.

GOVERNMENT STREET from its intersection with Patton Avenue to its intersection with Haywood Street.

HAYWOOD STREET from its intersection with Patton Avenue to its intersection with Flint Street.

PATTON AVENUE from its intersection with Asheland Avenue to its intersection with Pack Square.

WEST COLLEGE STREET from its intersection with Haywood Street to its intersection with Broadway.

MARKET STREET from its intersection with East College Street to its intersection with Walnut Street.

ALL OF PACK SQUARE

ALL OF WALNUT STREET

5. "DOUBLE PARKING" shall apply to and mean a motor vehicle or public service automobile stopped or stopping between a vehicle parked at the edge of the curb or edge of the street and street car line or the center of the street.

CHAPTER II.

MOTOR VEHICLES

Section 1. No motor vehicle shall be permitted to park within the congested district as hereinbefore described except as follows:

(a) All motor vehicles parking within the said congested district must have at least one wheel on the rear, front or side thereof, against the curb and double parking is hereby prohibited.

Provided however, that any motor vehicle parking on the South side of Patton Avenue between its intersection with Asheland Avenue and Pack Square as hereinafter provided, shall park with the front and rear wheels on the side thereof within at least four (4) inches of the curb, and no motor vehicle so parking shall park within three feet of any other motor vehicle.

(b) The parking of motor vehicles is hereby prohibited within said congested district as hereinbefore designated and described except as follows:

1. Biltmore Avenue EAST SIDE between Aston Street and Pack Square.
2. Broadway EAST SIDE between Woodfin Street and College Street.
3. Church Street EAST SIDE between Aston Street and Patton Avenue.
4. Depot Street EAST SIDE between Else Alley and Bartlett Street.
5. East College Street BOTH SIDES between Market Street and Broadway.
6. Government Street NORTH SIDE between Patton Avenue and Haywood Street
7. Haywood Street EAST SIDE between West College Street and Flint Street.
8. Pack Square NORTH -SOUTH AND EAST SIDES.
9. Walnut Street SOUTH SIDE between Lexington Avenue and Broadway.
10. West College Street SOUTH SIDE between Haywood Street and Broadway.
11. Market Street EAST SIDE between East College Street and Walnut Street
12. Patton Avenue SOUTH SIDE between Asheland Avenue and Pack Square.

Provided, motor vehicles will be permitted to park on the South side of Patton Avenue between its intersection with Asheland Avenue and its intersection with Pack Square not exceeding fifteen (15) minutes at any one time.

Provided, further that no motor vehicle shall park on the following streets, squares, alleys or portions thereof, as hereinbefore designated or described for a period exceeding thirty minutes at any one time.

1. Biltmore Avenue EAST SIDE between Aston Street and Pack Square.
2. Broadway EAST SIDE between Woodfin Street and East College Street.
3. Church Street EAST SIDE between Aston Street and Patton Avenue.
4. East College Street SOUTH SIDE between Market Street and Broadway.
5. Government Street NORTH SIDE between Patton Avenue and Haywood Street
6. Haywood Street EAST SIDE between West College Street and Flint Street
7. Pack Square NORTH AND SOUTH SIDE
8. Walnut Street SOUTH SIDE between Lexington Avenue and Broadway.

Section 1. All motor vehicles are hereb prohibited from stopping within said congested district except at such places as hereinbefore designated and described.

Provided however, that such motor vehicles are hereby permitted to stop at points within said congested districts not designated hereinbefore for not exceeding three minutes and then only for a bona-fide purpose of receiving and discharging passengers.

Section 2. A motor vehicle shall be considered as parked or parking within the meaning of this Ordinance unless same be moved a greater distance than one hundred (100) feet from the place originally stopped or parked.

CHAPTER III

PUBLIC SERVICE MOTOR VEHICLES.

Section 1. No public service automobile shall be permitted to park within the congested district as hereinbefore designated and described except as follows:

(a) All public service automobiles must have at least one wheel on the rear, front or side thereof against the curb or at the edge of the street and double parking is hereby prohibited.

(b) The parking of public service automobiles is hereby prohibited within the congested district as hereinbefore designated and described except as follows:

1. Depot Street WEST SIDE between the Gladstone Hotel and the drinking fountain situated at a point opposite the entrance between the baggage room and the waiting room of the Southern Railway Depot.

Depot Street EAST SIDE between Elsa Alley and the main entrance of the Glen Rock Hotel.

2. East College Street BOTH SIDES between Broadway and Market Streets.

3. Walnut Street SOUTH SIDE between Lexington Avenue and Broadway.

4. West College Street SOUTH SIDE between Haywood Street and Broadway.

5. Market Street EAST SIDE between East College Street and Walnut Street.

Provided that no public service automobile shall park on the following streets, squares alleys or portions thereof, as hereinbefore designated and described for a period exceeding thirty (30) minutes, at any one time.

6. East College Street SOUTH SIDE between Broadway and Walnut Street

7. Walnut Street SOUTH SIDE between Lexington Avenue and Broadway.

8. West College Street SOUTH SIDE between Haywood Street and Broadway.

Section 2. All public service automobiles are hereby prohibited from stopping within said congested district except at such places as hereinbefore designated and described.

Provided however, that such public service automobiles are hereby permitted to stop at points within said congested district as designated hereinbefore for not exceeding three (3) minutes and then only for the bona-fide purpose of receiving or discharging passengers.

Section 3. A public service automobile shall be considered as parked or parking within the meaning of this ordinance unless same be moved a greater distance than one hundred feet from the place originally stopped or parked.

CHAPTER IV.

ONE WAY STREETS

Section 1. The following streets, squares or parts of same are hereby declared one way streets or squares and no motor vehicles, public service motor vehicles or other vehicles by whatsoever name called, shall be permitted to use the same except as hereinafter provided.

Pack Square NORTH SIDE between Biltmore Avenue and the edge of the sidewalk on the east end of the park and on Pack Square, closed to all vehicles moving WEST

Pack Square North Side between Broadway and the edge of the sidewalk on the east end of the park on said Pack Square, closed to all vehicles moving EAST.

East College Street between Broadway and Market Street closed to all vehicles moving WEST.

West College Street between Haywood Street and Broadway closed to all vehicles moving WEST

Government Street between Patton Avenue and Haywood Street closed to all vehicles moving WEST

Patton Avenue between Government Street and Pack Square closed to all vehicles moving EAST

Lexington Avenue from Patton Avenue to West College Street closed to all vehicles moving SOUTH.

Provided, however, vehicles desiring to move South on Church Street are hereby permitted to travel West on Patton Avenue between the intersection of Haywood Street and Church Street.

Section 2. No person shall leave a vehicle standing on a street or thoroughfare in the congested district within twenty five (25) feet of an intersecting street.

Section 3. No person shall leave a vehicle standing within ten (10) feet of either side of the main entrance of any theatre or public building during any meeting or public gathering therein, except when taking on or discharging passengers or freight and then not to exceed ten minutes.

Section 4. No person shall stop or leave a vehicle standing in such place as to obstruct a street, thoroughfare, private driveway or crossing for pedestrians.

Section 5. No person shall leave a vehicle standing on a street or thoroughfare in the congested district locked or fastened in such a manner that such vehicle cannot be moved.

Section 6. That any person violating any of the provisions of this Ordinance upon conviction shall be subject to a penalty of fifty ($50.00) Dollars for each and every offense.

Section 7. That all Ordinances or clauses or Ordinances in conflict herewith be and the same are hereby repealed.

Section 8. That this Ordinance being for the immediate preservation of the public peace and safety of the citizens of said City, is hereby declared an emergency Ordinance to take effect immediately after its first publication in a newspaper published in said city

I move the adoption of the foregoing Ordinance this the 14th day of August A.D.1922.

R L. Fitzpatrick,

Commissioner of Public Safety

Approved as to form

George Pennell

Corporation Counsel.

On motion the following building permit was granted:

Frank Atkin	3 room house	20 Cole Street	Estimated Cost	$800.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, August 15th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding The minutes of the previous meeting were read and approved.

VIRGINIA AVENUE AND CENTRAL STREET -SEW

The City Engineer's report showing total and pro-rata cost to property owners on account of the construction of a sanitary sewer line on Virginia Avenue and Central Street was presented to the Board and on motion, ordered advertised according to law.

BUILDING PERMITS

On motion the following building permits were granted:

Graham Brown	6 room residence	So. Side Haywood Rd.	Estimated Cost	4,500.00
Matilda Muldrop	Porch	Shady Grove	" "	65.00
A Pappas	Sleeping porch	#630 Haywood Road	" "	50.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, August 16th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Works it was ordered on motion that the application of Dr. Smith for permission to tap the City's water line to secure water needed in the construction of an orphanage to be constructed by him near the State farm, be not granted for the present, on account of the scarcity of water.

On motion, the application of the Shrine Club for permission to give a dance at Battery Park Hotel on Friday night, August 18th was granted, on payment of the regular license tax.

August 15th, 1922.

To the Honorable Mayor and City Commissioners,

Asheville, N.C.

Gentlemen:-

We, the Shrine Club, of Asheville, North Carolina want to give a dance at the Battery Park Hotel, Friday night, August 18th, for the benefit and pleasure of the Shriners of Western North Carolina and their friends. This is to be a nice quiet, orderly dance in keeping with the dignity of the Order.

Will you please grant us permission to give this dance ? I am

Very sincerely

Plott Boyd

PB/LP Plott Boyd-President.

On the recommendation of the Commissioner of Public Safety it was ordered on motion that the Chauffeur's bonds filed by J. L. Page with the applications of George Epps, C. B. Redmond and R. B. Alexander, be surrendered to Mr. Page, the Commissioner of Public Safety reporting that Mr. Page had surrendered the Chauffeurs licenses granted the above parties.

One Grady Styles having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance regulating Public Service automobiles in the city of Asheville, and all papers being approved, his application for a license to operate a public service automobile was, on motion, approved and it was ordered that he be granted the license requested.

On motion the following building permit was granted:

F. A. Thomas Repairs 16 and 23 Frederick Street Estimated Cost 600.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, August 17th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion one B. F. Moody was granted a license gratis to sell fresh meats at #340 Southside Avenue.

This action taken on account of a physical infirmity of the said B. F. Moody.

The report of the City Engineer showing the result of his investigation of the possibility of providing sewer accommodations for property on Tiernan Street, was read to the Board, and on motion, taken under advisement.

August 16th, 1922.

The Hon. Mayor and Commissioners:

Gentlemen:-

I have investigated the matter of sewer extension on Tiernan St and report as follows: There is no sewer on Tiernan Street I am submitting a plat showing the sewers in that section. The houses being built by Mr. J. E. Wright on Tiernan Street can be sewered in two directions. One to empty into the head of a sewer extending up an alley from Bartlett St. This sewer would have to be about 280 feet long and would have to be laid through the property of Mrs. Julia Shuford and would cost exclusive of the right of way, about $240.00 - The other could run into the sewer in Waggs, being about 360 feet long and would cost about $270.00 This would pass through Wright's own land Adams had a sewer laid from near Tiernan Street to the sewer in the alley above Bartlett Street but cannot learn how it was laid or in what condition it is in.

Very respectfully

B. M. Lee, City Eng.

There being no further business, the meeting, on motion, adjourned.

Secretary-Treasurer.

Friday, August 18th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Messrs J. G. Adams and W. M. Redwood directors of the new Bank on Church Street, appeared before the Board and explained that the Commissioner of Public Works had suggested moving the curb line back in front of the Bank.

Judge Adams acting as spokesman, explained that the directors of the bank had set the building back in order to get more sidewalk space and would not consider under any circumstances, the city setting the curb back to narrow the sidewalk space thus gained.

On motion, this matter was taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

In connection with the city's refusal to grant permission to the Balfour Orphanage to tap the city's water main, a representative of Mr. J. W. Sluder appeared before the Board and called attention to the fact that recorded in Minute Docket #9 on page #115 would be found an agreement by and between the City and Mr. Sluder wherein the city agreed to allow the land in question to have water accommodations secured by tapping the city's main.

This matter, on motion, taken under advisement.

A proposition to sell the city an automatic recorder to record all stops, starts, highest, lowest and average speed of the city's trucks, was on motion, taken under advisement.

Attorney R. R. Reynolds representing interested parties appeared before the Board and advocated the adoption of an Ordinance amending the motor bus ordinance so as to include all motor vehicles directly in competition with his clients.

Attorney Reynolds presented an amendment to the Ordinance for the approval of the Board. This matter on motion, taken under advisement.

AN ORDINANCE TO AMEND
THE MOTOR BUS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That that certain Ordinance passed by the Board of Commissioners of the City of Asheville, on the 12th day of August, 1922 entitled an "An Ordinance to Regulate the Operation of Motor Busses in the City of Asheville" which Ordinance is recorded in the minutes of the proceedings of the Board of Commissioners, in minute Docket 1" on page 431 to 436 inclusive, be amended by inserting after the word "railways" in line 5, Section 1, the following: "Interurban electric lines or steam railways"; by striking out the last two words in line 9 " and carrying"; by striking out all of line 11 and the words "bus or sight seeing busses" in line 12, by amending said Section 1. by the addition after the last word in the last line thereof, said word being "Ordinance"; " Provided, however, that public service motor vehicles, carrying seven passengers or less, solely by the hour, day or special trip, without a fixed terminus shall be exempted from the provisions of this ordinance."

Section 2. That all Ordinances or clauses of Ordinances in conflict herewith be and the same are hereby repealed.

I move the adoption of the foregoing Ordinance this the ____ day of _____ 1922.

_____
Commissioner.

Approved as to Form:

_____
Corporation Counsel.

Weekly reports from the Building Inspector, Plumbing Inspector, City Plumber, Play Ground Supervisor, and Dog Catcher, were read to the Board and on motion ordered filed.

On motion, the following building permits were granted:

W. H. Boon	Recover House	173 Swannanoa Avenue	Estimated Cost	50.00
C S Bryant	Garage	Cumberland & Cullowhee	" "	1500.00
Donahue & Rawls	5 room house	196 Pearson Drive	" "	4000.00
L. L. Ferguson	4 room house	Wellington Avenue	" "	1200.00
Ethel M.George	Make Changes	18 North Pack Square	" "	750.00
E A Jackson	6 room house	45 Macon Avenue	" "	10000.00
L. B. Jackson	6 room house	Fairmont Road	" "	20000.00
J. T. Murray	Garage	25 Lawrence Place	" "	612.00
Carl M. Engel	5 room house	Brownwood Avenue	" "	3000.00
" " "	"	" "	" "	3000.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, August 19th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The complaint of one J. T. Mitchell that his property had been assessed for the construction of the Merrimon Avenue sewer on the side opposite that to which he had connected with said sewer, was taken up and discussed.

It was explained to Mr. Mitchell however that in the opinion of the Board, the assessment against his property was very reasonable.

The request for street lights to be located at the intersection of Blue Ridge and Craggy Avenue and at the intersection of Livingston Street and Victoria Avenue, was on motion referred to the Commissioner of Public Works for investigation and report.

The Commissioner of Public Works reported to the Board that he had been informed that parties representing themselves as agents of the city water department, were selling small filters to be placed on the ends of the water spigots, without a license. This matter, on motion, was referred to the Commissioner of Public Safety with the request that he instruct his police department to stop this practice immediately.

Mr. Andrew M. White having filed bond, court record, doctor's certificate and recommendations as required under the rules governing public service automobiles in the city, and all papers being approved, his application for a license to operate a public service automobile was, on motion, approved and it was ordered that he be granted the license requested.

A resolution releasing lot #88½ belonging to E. Byerly from the assessment made against Lot #111 on account of the paving of Haywood Road, and assessing all unpaid assessments against lots # A-7 and A #8 , was presented to the Board, and motion, duly seconded was unanimously adopted.

RESOLUTION TO TRANSFER CERTAIN STREET PAVING ASSESSMENTS.

WHEREAS, Lot #111 as shown on Street Paving and Sewer Map of Haywood Road, in the office of the Tax Collector, is assessed for street paving assessment, and since the making of assessment against said lot the lot adjoining thereto, between Allen Street has been purchased and all of said property between Allen Street and Lot No. 111 is now owned by E. Byerly and Emma Ebbs Byerly; and

WHEREAS, the said E. Byerly and Emma Ebbs Byerly have sub-divided Lot No. 111 and the lot lying between said lot and Allen Street, into smaller lots and have petitioned the Board of Commissioners to release Lot #88½ from any portion of the assessments made against Lot No 111, and said Board are desirous of complying with said request

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

That Lot No. 88½ as shown on Tax Assessors Map, Ward 5, Sheet 11, be released from any and all assessments whatsoever, originally assessed against Lot No. 111 aforementioned, and that all assessments remaining unpaid against lot No. 111 be and is hereby assessed against Lots A 7 and A 8 as shown on Tax Assessor's Map, Ward 5 Sheet 11

I move the adoption of the foregoing resolution, this the 19th day of August,1922.

Gallatin Roberts.
Commissioner.

Approved as to Form

George Pennell

Corporation Counsel

Weekly reports from the Street, Street Cleaning, Health, Incinerator City Bacteriologist, and Public Health Nursing Association, as well as the Play Ground Supervisor and from the Colored Swimming Pool, were read to the Board and on motion ordered filed.

On motion the following building permits were granted:

F. F. Brown	Repairs	116 Cherry St	Estimated Cost	$200.00
J. N. Garren-	Addition	5 Orchard St	" "	1000.00
S. M. White	6 room house	Clemmons St	" "	1100.00

On motion, adjourned.

Secretary-Treasurer

Thursday, August 24th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, the City Tax Collector was authorized and instructed to advertise and sell in accordance with law, all property on which 1921 taxes remain unpaid.

The application of one W. F. Rogers, Professional Bondsman for permission to pay his license tax assessed professional bondsmen by the quarter, was on motion, taken under advisement.

The proposition of one J. T. Mitchell to deed the city a portion of his property at the intersection of Langwell and Virginia Avenues in order that Columbis Street might be extended into Virginia Avenue, was on motion, taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

One Ralph Ingle having filed bond, court record, Doctor's certificate and recommendations as required under the City Ordinande regulating Public service automobiles in the City of Asheville and all papers being approved, his application for a license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

A petition requesting the installation of a street light on Short Roberts Street, was, on motion referred to the Commissioner of Public Works for investigation and report.

This partishion is for a light on Short Roberts St.

Mrs. Flora Colback	Mrs. Maggie McElrath	Mr. Will Colback	Mr. J.E.McElrath
Mrs. L.P.Clayton	Mrs. J. H Owenby	Mrs. R.C.Owensby	Mr.James Stores
Mrs. J. H. Stone	Morrie Spoons	Frank Spoons	Pauline Hanlin
Geo. Brookshire	Artie Brookshire	W D. Fowler	I F. Hamlin
L. H. Hamlin	Lassie McElrath	Flora McElrath	Mollie Sox
Mary Sox	Mamie Lowe	J. C. Felmet	N. P. Sams
E. C. Rea	M. C. Boyd	S. P. Byrd	M. Mills

A communication from one Rufus Shepard stating that while employed by the City he was injured by a mule stepping on his foot and asking that he be paid for lost time, was presented to the Board, and, on motion, referred to the Insurance company carrying the City's liability Insurance policy.

#53 Poplar Street. August 23rd 1922
Asheville, N.C.

Mr. Sherrill:
Sir:-

I got my foot hurt about two weeks ago working for the city by a mule stepping on my foot and it has put me a past work. Mr. Frady my bos said the city was not willing to pay any damages whatever. I thought I would find out from you just what to do as I think I ought to git something as I have nothing to go up on which I would have been at work if this had not happened. I guess I will be cripple all of my days from this hurt Please let me hear from you

Ruffus Shepherd.

On motion, the following building permits were granted:

A. S. Buckner	Logan Avenue	5 room house	Extimated Cost	2,500.00
F. L. Gilreath	Beaver St	Outside Toilet	" "	10.00
Mandy Harris	154 Buffalo St	Repairs	" "	100.00
L. B. Woodward	West Asheville	5 room house	" "	1,500.00
S. H. Michaelove	18 Short St	6 room addition	" "	2,000.00
W. F. Rogers	Spring St	4 room house	" "	1,000.00
Frank A Todd	Oakwood Ave	4 room house	" "	2,000.00
W H Westall Co	Spruce St	3 room storehouse	" "	12,000.00
W H Westall Co	Haywood Road	1 room warehouse	" "	2,000.00
W H Westall & Co	Haywood Road	Garage	" "	400.00

On motion, adjourned.

Secretary-Treasurer.

Friday, August 25th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding, the minutes of the previous meeting were read and approved.

A petition requesting the installation of a street light on Greenlee Avenu was presented to the Board, and on motion, this matter was referred to the Commissioner of Public Works for investigation and report.

Asheville N. C.
August 19th, 1922.

To the Mayor and Aldermen of the City of Asheville, N. C
In common council assembled:

Gentlemen:-

The undersigned citizens and tax payers of the city of Asheville feeling that life and property are very insecure after dark in this portion of the city, respectfully ask your honorable body to have a light put on Green Lee Avenue which leads off of Hill Street.

Ed Flack	Mrs. A.C.Greenlee	Claud Epps	Mrs. Ponders	Joe R.Durant
F. Harrison	Katie Lee Cotton	Ed England	Owen Gudger	David Anderson
		S. H. Felmet.		

On motion, the Purchasing Agent was authorized and instructed to advertise for bids for the construction of a sanitary sewer to accommodate the Logan School in West Asheville, the work to be done in accordance with the plans and specifications of the city Engineer.

Weekly reports from the Public Health Nursing Association, Sealer of Weights and Measures, Plumbing Inspector, Building Inspector, Aston Park Playground, Colored Swimming Pool, Dog Catcher and from the Street Department, Street Cleaning Department, Water Department, Incinerator Department and Health Department were read to the Board and on motion, ordered filed.

On motion, the following building permits were granted:

J. S. Griffin	4 room house	Fair Street	Estimated Cost	1,500.00
J S Griffin	4 room house	" "	" "	1,300.00
O. D. Revell	5 room house	Pearson Drive	" "	2,500.00
Sou.Fish & Groc. Company	Addition to store	#428 Depot Street	" "	150.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, August 26th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A representative of the Kenilworth Transfer Company was before the Board requesting a license to operate busses in the city under the ordinance recently adopted by the Board.

It was explained to the gentleman present that it would be necessary for him to file a written application, which he promised to do.

The application of one C. Taylor a discharged soldier for permission to sell cigars and cigarettes, gratis at #328 SouthsideAvenue was, on motion, taken under advisement, Mr.Taylor being requested to exhibit his discharge papers to the Board.

On motion the following building permits were granted:

Mrs. Jno. Penland	2 room house	985 Haywood Rd.	Estimated Cost	350.00
M. V. Smith	7 " "	Majestic Ave	" "	3,500.00
E. G. Weaver	5 room house	Montana St.	" "	2,500.00

On motion, adjourned.

Secretary-Treasurer.

Monday, August 28th. 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A request for a water line on Arden Road to accommodate houses already erected and others now under construction, was, on motion, referred to the Commissioner of Public Works.

An Ordinance authorizing the issuance of $50,000. Incinerator Bonds of the City of Asheville and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its first reading.

An Ordinance authorizing the issuance of $50,000. Sewer Bonds of the City of Asheville and providing for the payment of the principal and interest thereof was read to the Board and on motion, unanimously adopted passed on its first reading.

An Ordinance authorizing the issuance of $150,000. Street Bonds of the City of Asheville and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its first reading.

An Ordinance authorizing the issuance of $100,000. Water Bonds of the City of Asheville and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its first reading.

An Ordinance authorizing the issuance of $25,000. Fire Department Bonds of the City of Asheville and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its first reading.

On motion, the following building permits were granted:

James Justice	5 room house -	Galax Avenue	Estimated Cost	3,000.00
R. C. Stevens	5 room house	122 Olney Road	" "	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Tuesday, August 29th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion permission was granted the Hagenbach and Wallace Shows to exhibit in Asheville one day, on September 18th, 1922 on payment of the regular license tax.

On motion one Carries Taylor, a disabled soldier was granted license, gratis to sell fruits, cigars, cigarettes and tobacco at #328 Southside Avenue.

The request of a Mr. McNeill that Walnut Street be opened through to Haywood Street together with his explanation that unless this street was opened up some of his tenants would move, was, on motion, taken under advisement, the Board agreeing to go over the ground and investigate conditions in person.

Anticipating the final passage of the following Ordinances:

"An Ordinance authorizing the issuance of $50,000 Sewer Bonds of the City of Asheville and providing for the payment of the principal and interest thereof.'

'An Ordinance authorizing the issuance of $100,000. Water Bonds of the City of Asheville and providing for the payment of the principal and interest thereof.'

'An Ordinance authorizing the issuance of $50,000. Incinerator Bonds of the City of Asheville and providing for the payment of the principal and interest thereof.'

'An Ordinance authorizing the issuance of $25,000. Fire Department Bonds of the City of Asheville and providing for the payment of the principal and interest thereof.'

'An Ordinance authorizing the issuance of $150,000. Street Improvement bonds of the City of Asheville and providing for the payment of the principal and interest thereof'. "

the Mayor presented a sworn statement of indebtedness made pursuant to Section 2943, of "The Municipal Finance Act, 1921", which statement was, on motion, approved and ordered filed with the Clerk for the inspection of any interested citizen or tax payer.

An Ordinance authorizing the issuance of $50,000. Incinerator Bonds and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this Ordinance placed on its third and final reading and passed unanimously.

An Ordinance authorizing the issuance of $50,000. Sewer Bonds and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its second reading.

On motion, the rules were suspended this Ordinance placed on its third and final reading and passed unanimously.

An Ordinance authorizing the issuance of $150,000. Street Bonds and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this Ordinance placed on its third and final reading and passed unanimously.

An Ordinance authorizing the issuance of $100,000. Water Bonds and providing for the payment of the principal and interest thereof, was read to the Board, and, on motion, unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this Ordinance placed on its third and final reading and passed unanimously.

An Ordinance authorizing the issuance of $25,000. Fire Department Bonds and providing for the payment of the principal and interest thereof, was read to the Board and on motion, unanimously adopted, passed on its second reading.

On motion, the rules were suspended, this Ordinance placed on its third and final reading and passed unanimously.

This, being the day, according to the city's advertisement that bids were to be received for the city's supply of coal for the year ending August 31st, 1923 on motion the Clerk was instructed to open and read all bids submitted, whereupon the following bids were opened and read to the Board.

Southern Coal Company.

Run of Mine Coal - Hoover Fair price plus $2.40 freight
plus $2.15 overhead.

Lump Coal, Hoover Fair price, plus $2.48 freight
plus 2.65 overhead.

Merchants Transfer and Coal Company

Va. Run of Mine	$10.87 per ton
Tennessee Jellico Block coal	11.97 per ton

Citizens Transfer and Coal Company

Block Coal	12.80 per ton
Run of Mine	10.20 per ton

Carolina Coal and Ice Company

Lump coal	11.90 per ton
Run of Mine coal	9.65 " "

Asheville Blue Gem Coal Company

Block coal	10.22 per ton
Run of Mine coal	9.48 " "

On motion all bids were ordered tabluated for the information of the Board.

A petition requesting the installation of an automatic road signal at the intersection of Patton Avenue and South Lexington was read to the Board and on motion, ordered filed.

August 10th, 1922.

To the Honorable Board of City Commissioners:

The undersigned respectfully petition for the installation of an automatic road signal at the intersection of Patton Avenue and Lexington Avenue, like the one now in use by the City at the Northeast corner of Pack Square; further representing the highly dangerous character of that crossing and desiring to prevent accidents to themselves and others:

Hackney Moale Company	Samuel R. Bennett	Barbee Clark Cigar Company
By P. E. Morrow	I. W. Glaser	R. P. Shaw
Chambers and Weaver Co	H. P. Flowe	B. B. Flowe
A. P. McGraw	Sawyer Motor Co.	H. L. Lichey
James R. Ferguson	E. C. Sawyer	F. W. Spivey

On motion, the following building permits were granted:

Gen. C. Harper	Horney Heights	4 room bungalow	Estimated Cost	1,000.00
Geo. S.Reynolds	Coleman Avenue	6 room house	" "	4,200.00

On motion, adjourned.

Secretary-Treasurer.

Sworn Statement of Indebtedness made pursuant to Section 2943 of "The Municipal Finance Act, 1921" and filed with the Clerk after the introduction and before the final passage of the following ordinances:

" 'An ordinance authorizing the issuance of $50,000 Sewer Bonds of the City of Asheville and providing for the payment of the principal and interest thereof'

'An ordinance authorizing the issuance of $100,000 Water Bonds of the City of Asheville and providing for the payment of the principal and interest thereof'

'An ordinance authorizing the issuance of $50,000 Incinerator Bonds of the City of Asheville and providing for the payment of the principal and interest thereof'

'An ordinance authorizing the issuance of $25,000 Fire Department Bonds of the City of Asheville and providing for the payment of the principal and interest thereof'

'An ordinance authorizing the issuance of $150,000 Street Bonds of the City of Asheville and providing for the payment of the principal and interest thereof' "

"A" The Gross Debt

(1) Outstanding Debt incurred before Dec.6,1921 not evidenced by bonds		15,660.32
(2) Outstanding Bonded Debt:		
Water Bonds	788,000.00	
Sewer Bonds	316,000.00	
Fire Dept. Bonds	25,000.00	
Street Improvement Bonds	942,000.00	
School Bonds	1,161,500.00	
Market Bonds	35,000.00	
Incinerator Bonds	50,700.00	
Funding Bonds	553,000.00	
		3,871,200.00
(3) Bonded Debt to be incurred under ordinances passed or introduced:		
Water Bonds	100,000.00	
Sewer Bonds	50,000.00	
Incinerator Bonds	50,000.00	
Fire Dept. Bonds	25,000.00	
Stfeet Bonds	150,000.00	
		375,000.00

"B" Deductions

(1) Amount of unissued funding or refunding bonds included in Gross Debt	"none"		
(2) Amount of Sinking funds or other funds held for the payment of any part of the Gross Debt other than debt incurred for water, gas, electric light or power purposes or two or more of said purposes:			
Cash		16,385.90	
Investments		12,500.00	
			28,885.90
(3) The amount of uncollected special assessments heretofore levied on account of local improvements for which any part of the Gross Debt was or is to be incurred, which will be applied when collected to the payment of any part of the Gross Debt			190,579.80
(4) The amount as estimated by the City Engineer of special assessments to be levied on account of local improvements for which any part of the Gross Debt was or is to be incurred and which when collected will be applied to the payment of any part of the Gross Debt			140,000.00
(5) The amount of Bonded Debt included in the Gross Debt and incurred or to be incurred for water, gas, electric light or power purposes or two or more of said purposes			788,000.00
			,.24.62
		4,261,860.32	4,261,860.32

"D" The assessed valuation of property as last fixed for municipal taxation			55,003,783.00
"E" The percentage that the net debt bears to said assessed valuation	8.00%		
"E-1" Debt Limit 8% of	55,003,783.00		4,400,302.64
Net Debt		3,114,394.62	
Balance		1,285,908.02	
		4,400,302.64	4,400,302.64

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $150,000 STREET BONDS OF THE CITY OF ASHEVILLE AND PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the payment of the cost of constructing or reconstructing the surface of roads, streets, or highwats, including the contemporaneous construction or reconstruction of sidewalks, curbs, gutters or drains, including grading, such constructing or reconstructing to be of brick, blocks, sheet asphalt, bitulithic or bituminous concrete laid on a solid foundation, or of concrete, at least one-fourth of the cost, exclusive of the cost of paving at street intersections, to be specially assessed abutting property.

Section 2. That the maximum aggregate principal amount of said bonds shall be $150,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to said act, and is open to public inspection.

Section 5. That this ordinance shall take effect upon its passage and shall not be submitted to voters.

I move the adoption of the foregoing ordinance, this the 28th day of August, 1922.

R. J. Cornell
Commissioner.

Approved as to form:

GEORGE PENNELL
Corporation Counsel.

The foregoing ordinance was passed on the 29th day of August, 1922, and was first published on the 31st day of August, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty (30) days after its first publication.

F. L. Conder
Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $25,000. FIRE DEPARTMENT BONDS OF THE CITY OF ASHEVILLE AND PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the erection of a building to be used as a fire department; said building to be of non -fireproof construction, that is, a building the outer walls of which are constructed of brick, stone, iron or other hard incombustible materials, but which in other respects differs from a fireproof building as defined in said act.

Section 2. That the maximum aggregate principal amount of said bonds shall be $25,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to said act, and is open to public inspection.

Section 5. That this ordinance shall take effect thirty (30) days after its first publication, unless in the meantime a petition for its submission to the voters is filed under said act, and that in such event, it shall take effect when approved by the voters of the municipality at an election as provided in said act.

I move the adoption of the foregoing ordinance, this the 28th day of August, 1922.

Commissioner.

Approved as to form:

George Pennell

Corporation Counsel.

The foregoing ordinance was passed on the 29thday of August, 1922, and was first published on the 31st day of August, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty (30) days after its first publication.

F. L. Conder

Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $100,000 WATER BONDS OF THE CITY OF ASHEVILLE AND PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the extension of the existing water supply system of the City of Asheville.

Section 2. That the maximum aggregate principal amount of said bonds shall be $100,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to said act, and is open to public inspection.

Section 5. That this ordinance shall take effect thirty (30) days after its first publication, unless in the meantime a petition for its submission to the voters is filed under said act, and that in such event, it shall take effect when approved by the voters of the municipality at an election as provided in said act.

I move the adoption of the foregoing ordinance, this the 28th day of August, 1922.

R. I. Pennell
Commissioner.

Approved as to form:

GEORGE PENNELL
Corporation Counsel.

The foregoing ordinance was passed on the 29th day of August, 1922, and was first published on the 31st day of August, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty (30) days after its first publication.

F. L. Conder
Secretary-Treasurer.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $50,000 SEWER BONDS OF THE CITY OF ASHEVILLE AND PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST THEREOF.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1 That the City of Asheville, pursuant to the Municipal Finance Act, 1921, issue its negotiable coupon bonds for the purpose of providing funds for the extension of the existing sanitary sewerage system of the City of Asheville.

Section 2. That the maximum aggregate principal amount of said bonds shall be $50,000.

Section 3. That a tax sufficient to pay the principal and interest of said bonds shall be annually levied and collected.

Section 4. That a statement of the debt of the municipality has been filed with the Clerk, pursuant to said act, and is open to public inspection.

Section 5. That this ordinance shall take effect thirty (30) days after its first publication, unless in the meantime a petition for its submission to the voters is filed under said act and that in such event it shall take effect when approved by the voters of the municipality at an election, as provided in said act.

I move the adoption of the foregoing ordinance this the 28th day of August, 1922.

R. I. Pennell
Commissioner.

Approved as to form:

GEORGE PENNELL
Corporation Counsel.

The foregoing ordinance was passed on the 29th day of August, 1922 and was first published on the 31st day of August, 1922.

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty (30) days after its first publication.

F. L. Conder
Secretary-Treasurer.

ISSUANCE OF
THE CITY OF
PAYMENT
THEREOF.

THE BOARD OF COMMISSIONERS OF THE

the City of Asheville, pursuant to
, 1921, issue its negotiable coupon
bonds in the principal sum of Eighty Thousand Dollars for the erection of a
garbage crematory or disposal of ashes or garbage or
refuse matter of any character;

That the maximum aggregate principal amount
of said bonds shall be Eighty Thousand Dollars, and

That a tax sufficient to pay the principal
and interest of said bonds shall be annually levied and collected
. The proceeds of the sale of the bonds, pursuant to said Act, and
of this ordinance.

This ordinance shall take effect
and be in force from and after its publication unless in the mean-
time a petition signed by the voters has been filed
with the City Clerk as provided by said Act, in which event it shall take effect when
approved by the voters of the City at an election, as
provided in said Act.

Read the foregoing ordinance, this
day of , 1922.

R J Thrash
Commissioner.

Attest:

Passed on the ___ reading on the
day of , 1922.

Attest:

Ordinance sustaining the validity of said
bonds after thirty (30) days after its first
publication.

Secretary-Treasurer

Wednesday, August 30th. 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

A complaint with reference to undue noise made by trucks and other motor vehicles in the city was, on motion, referred to the Commissioner of Public Safety.

Attorney J. Scroop Styles representing one J. W. M. Frisbee appeared before the Board and complained that his client's property at the intersection of Hudson Street and Langwell Avenue had been assessed for the construction of a sewer on both of these streets, whereas, the property was connected with the sewer on Langwell Avenue and had no use for the sewer on Hudson Street.

This matter on motion referred to the Commissioner of Public Works for investigation and report.

A complaint that the alley running from Spruce Street to Court Place in the rear of the Red Cross Undertaking establishment was blocked, was, on motion, referred to the Commissioner of Public Safety.

On motion the Commissioner of Public Safety was authorized and instructed to take such action as is necessary to protect the public in connection with the tearing down of the old Eagle Hotel Building.

On motion, it was ordered that one Ellis Penland be exempted $5.50 water rent charged against his property at #45 Tiernan Street.

This action taken on the statement of the Mayor that this was a charity case.

The complaint of a Mr. Wilson with reference to a ditch on Ocala Street was, on motion, referred to the Commissioner of Public Works.

On motion, the following building permits were granted:

Asheville Cotton Mills	Repairs	near Railroad	Estimated Cost		50.00
L. C. Bradley	5 room house	Brownwood Ave	"	"	3,500.00
S.S. Buckner	4 room house	123 Eagle St	"	"	1,500.00
J. W.Clark	4 room house	Middlemount Ave	"	"	2,000.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, August 31st, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. Y. Jordan, Jr. representing Mr. Charles E. Lyman appeared before the Board in an effort to sell the City a Lyman Automatic Road Signal to be installed at the intersection of Lexington and Patton Avenue. In connection with his proposition Mr. Jordan called attention to the fact that three petitions signed by practically all of the business men on Patton Avenue between Pack Square and the Post Office and on South Lexington Avenue, had been filed requesting the installation of this signal.

This matter, on motion, referred to the Commissioner of Public Safety for investigation and report.

The application of the Kenilworth Transportation Company for a license under the new bus ordinance, to operate its busses in the incorporate limits of the city, together with the bonds filed by said company, were on motion, referred to the Mayor for action, when the provisions of the said ordinance were all complied with.

Kenilworth Transportation Company

Asheville, N.C.

August 29th, 1922.

Hon. Mayor and Commissioners,
Asheville, N.C.
Dear Sirs:

The following is a application of the Kenilworth Transpor-

tation Co. to operate its busses under the new bus ordinance witch went into effect August 5th, 1922 and which we intend to comply with in every detail.

The company consists of Mr. E. G. Hestor, Mr. Harvey S. Hester and Mr. Wm. R. Hester.

The equipment of the company consists of three G. M. C. busses with a capacity of seventeen passengers each. One White bus with a capacity of twenty nine passengers. One King bus with a capacity of ten passengers.

The drivers or operators work in eight hour shifts, and there are two drivers to each bus. The drivers are also relieved one hour for dinner and supper. Have two mechanics who work on night shifts, they inspect each bus every night and see that they are in first class order before sending them out in the mornings. Also have one colored man who washes, oils, and greases each bus every night.

The routes and fares are as follows:

West Asheville line.

First bus leaves Pack Square at 6:30 A. M. Last bus leaves Pack Square at 11 P. M. Bus leaves Pack Square and West Asheville every fifteen minutes between 6:30 A. M. and 11 P. M

Fare leaving Pack Square is ten cents to West Asheville. The fare leaving West Asheville is ten cents to Pack Square.

Biltmore Forest Line.

First bus leaves Pack Square at 6:30 A. M. Last bus leaves Pack Square at 10:30 P. M. The bus on this line runs on hourly schedule, leaving Pack Square on the half of every hour and leaves Biltmore Forest Club on every hour, between 6:30 A. M. and 10:30 P. M.

Fare leaving Pack Square is ten cents to any point on Biltmore Avenue or Hendersonville road, after leaving Hendersonville Road the fare is fifteen cents to Biltmore Forest Club House. Fares leaving Biltmore Forest Club House is five cents to Hendersonville road and ten cents to Biltmore and fifteen cents to Pack Square.

The White bus is usee for sight seeing, running four trips per day. Make two number one trips leaving the Square at 11 A. M. and 4:30 P. M. Number one trip consists of Montford Avenue, Grove Park Inn, Charlotte Street and Beaucatcher Mountain. Trip number two starts at 3 P. M. and which consists of Biltmore Avenue Kenilworth, Government Hospital, Biltmore Forest and country club, Victoria Road and Asheville station. At 6:30 P. M. it makes a trip to the top of Sunset Mountain.

The King bus is used as an emergency bus and has no special route.

The fares on the sight seeing trips are one dollar each.

The company carries public liability insurance through Aston, Stikeleather and Company, Agents. The insurance is carried on each bus to indemnify each person in the sum of five thousand dollars and the sum of $50,000. for each accident.

We are enclosing a copy of instructions which we give to our drivers and trusting that we will meet with an approval, we are

Yours very truly

Kenilworth Transportation Company

W.R. Hester.

THE FOLLOWING INSTRUCTIONS TO DRIVERS MUST BE STRICTLY ADHERED TO AT ALL TIMES.

All drivers must familiarize themselves with the traffic regulations in the City of Asheville. It is presumed that upon going to work for this company, drivers are familiar with these regulations, and in the event any driver is not familiar with them, a copy of same can be had upon request at the City Hall. These regulations must be observed at all times.

All accidents must be reported promptly, at the office of the company, regardless of how minor they may seem; in case of accident the driver must secure the names of at least three witnesses where possible. This is a very important matter and failure upon the driver's part to report accidents will necessarily result in his dismissal.

Drivers must not smoke inside of his bus while on duty, and will request his passengers to refrain from smoking.

Drivers must not permit anyone to ride on the seat with him at any time.

Drivers must not permit passengers to get on or off of bus while the bus is in motion; and he must keep door to bus closed at all times while in motion.

It has been called to the attention of the Company that some of the drivers have been leaving the Biltmore Club House ahead of the schedule. In future the schedule must be strictly observed, particularly as regards leaving terminals ahead of time. It is the purpose and desire of the company to maintain a regular schedule and all drivers will be expected to co-operate in this particular.

It must be remembered at all times that we are operating for the convenience of the public and without the co-operation of the drivers it will be impossible to get the efficiency in serving the public that we desire.

Courtesy costs nothing and makes lots of friends, and drivers must be courteous at all times. This together with safety, the company must insist on at all times and the co-operation of the drivers in this particular is most essential.

Suggestions that will help us to better serve the public will be gladly received at all times.

KENILWORTH TRANSPORTATION COMPANY

The application of the Kenilworth Bus Line for a license to operate busses in the City of Asheville was presented to the Board, and on motion, the Clerk was instructed to notify said Company that its license would be granted as soon as the provisions governing the operation of motor busses are complied with.

August 30th, 1922

Board of Commissioners,
Asheville, N.C.

Gentlemen:-

The Kenilworth Bus Line hereby makes application for license to operate in the City of Asheville under the provisions of the new ordinance governing the operations of motor vehicles carrying more than seven passengers recently enacted by you.

The route of the above mentioned bus line is from Pack Square south on Biltmore Avenue to entrance of Forest Hill and thence east through Kenilworth to Biltmore, returning north on Biltmore Avenue to Pack Square.

The fare charged is ten cents from Pack Square to Kenilworth and Biltmore. Ten cents from Kenilworth to Pack Square and five cents from Biltmore to Pack Square Five cents from Pack Square to Normal School.

Our schedule is run on an hourly schedule; leaving Pack Square on the hour beginning at eight o'clock in the morning and leaving Biltmore on the half hour and continuing until eleven o'clock P. M. except Sundays. On Sundays the first bus leaves Pack Square at nine o'clock A. M. and the last bus leaves at nine o'clock P. M.

We operate only one bus, a Mack chassis with enclosed body. Capacity twenty five passengers. We carry public liability insurance in the sum of $5,000.00 for injury to each passenger and $50,000.00 for any single accident.

We maintain our own garage and this bus is inspected each day to insure the safety of handling passengers and to keep same in a clean and sanitary conditions at all times. We employ two drivers to operate this bus.

Bus is equipped with all modern equipment to insure safety and comfort of passengers.

Respectfully submitted

KENILWORTH BUS LINE.

By John D. Crews.

On motion, the following building permits were granted:

Frank Brown	Repairs	139 Haywood St	Estimated Cost	$250.00
F. M. Stevens	1 room addition	49 Hiawassee St	" "	200.00

On motion, adjourned.

Secretary-Treasurer.

Friday, September 1st, 1922. 11 o'clock

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney J. W. Haynes, representing the Southern Coal Company appeared before the Board and called attention to the fact that his client's bid on the city's supply of coal for the year ending August 31st 1923, was the lowest bid received. Also that his client was willing to guarantee that its bid which is the Hoover Fair price of coal at the mines plus freight, drayage and overhead would not exceed the price of today and also that the city would be given the benefit of any reduction in the price at the mines.

He stated that due to circumstances in connection with the delivery of coal, his client was very anxious that the matter be decided as early as possible.

It appearing to the Board that the major portion of the coal to be purchased is for the city school system, after some discussion it was ordered that the Mayor be requested to call a meeting of the School Advisory Board tomorrow morning at 10 o'clock A. M. the matter of the supply of coal for the schools to be taken up with it.

A petition requesting the installation of more fire plugs, on Virginia Avenue in West Asheville was read to the Board and on motion, referred to the Commissioner of Public Works for investigation and report.

West Asheville, N. C. August 24th, 1922.

To the Mayor and City Commissioners of Asheville,
Gentlemen:-

We, the undersigned, residents of Virginia Avenue, West Asheville, do respectfully petition you to have some more fire plugs put into the water main on this street. Out reasons are as follows:

1. Under present conditions our homes are in constant danger.
2. Our insurance rates are excessive.
3. Our property is made of lower value.
4. We know that in other parts of the city fire plugs are attached to two inch mains.
5. We are paying city taxes without getting city protection for our homes.

W. S. Hutchison	No. 225		C. P. Brooks	
C. B. Hawkins	" 267		H. H. Johnston	$251
R. L. Spivey	" 233		D. F. Bishop	$183
W. W. Stowe	" 166		D. F. Mitchell	$216
F. G. Shepherd			M. P. Shook	

A petition requesting the installation of a number of street lights on Houston Street in Arborvale Park, was, on motion referred to the Commissioner of Public Works for investigation and report.

August 29th, 1922.

To the Honorable Board of City Commissioners,
Asheville, N. C.

We, the undersigned, property owners and residents on Houston Street Arborvale Park, this city, respectfully petition that a sufficient number of street lights be installed on this street to properly light it at night, there being no lights on it at present. This condition makes travel on this street at night by pedestrians unsafe.

Ferdinand W. Massis	Josephine F. Lamprey	D. H. Perry Jr.
Jos P. Whip	Jennie B. Perry	May B. Wirtsfield
C. F. Kirstean	R. O. Smith	W. H. Foster
J. A. Gallion	L. W. Cherry	S. E. Hatch
	Mrs. Nath W. Dendy	

A resolution consolidating $100,000. Water Extension, $50,000. Sewerage Extension, $50,000. Incineration, and $25,000. Fire Department bonds into a consolidated issue of $225,000. was presented to the Board and on motion, duly seconded unanimously adopted.

A RESOLUTION CONSOLIDATING $100,000. WATER EXTENSION, $50,000 SEWERAGE EXTENSION, $50,000. INCINERATION AND $25,000. FIRE DEPARTMENT BONDS INTO A CONSOLIDATED ISSUE OF $225,000.

WHEREAS, four several ordinances were passed August 29th. 1922, authorizing, respectively, an issue of $100,000 Water Extension Bonds, $50,000. Sewerage Extension Bonds, $50,000. Incineration Bonds and $25,000. Fire Department Bonds; and

WHEREAS, it is deemed necessary that all of said bonds shall at once be issued for the several purposes for which they were so authorized, and that they should be consolidated into one issue under the Municipal Finance Act, 1921; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is hereby found and determined that the probable period of usefulness of such water extension is 40 years, of such sewerage extension 40 years, of such incineration plant 20 years and of said fire department, being the erection of a non-fireproof building for the fire department 30 years; all of said periods being computed from September 1, 1923, being one year after date of the passage of said Ordinance, and that the average of said periods taking into consideration the amount of bonds to be issued for each of said several purposes is 34 years, 5 months and 10 days and that said average period expires February 11, 1958.

Section 2. That all of said bonds shall be consolidated into one issue of $225,000. Public Improvement Bonds, consisting of 225 bonds of one thousand dollars each, dated September 1, 1922, bearing interest at a rate not exceeding six per centum per annum, to be hereafter determined upon receipt of bids for said bonds, both the principal and interest to be payable in gold coin of the United States of the present standard of

weight and fineness, at the office of the United States Mortgage and Trust Company in the city of New York, the said bonds to mature in numerical order September 1st, annually $4,000. 1924 to 1933, $6,000. 1934 to 1944, $9,000. 1945 to 1955 and $10,000. 1956 to 1957 all inclusive.

Section 5. That of the proceeds of each bond issued hereunder and sold, 100/225th shall be devoted to water extension, 50/225th to sewerage extension, 50/225th to the erection of an incinerator plant, and 25/225th to a fire department building, all as provided by the said Ordinances and that upon the payment of any bond issued hereunder 100/225th of $1,000. shall be deemed to be the amount of water extension debt paid, 50/225th the amount of sewerage extension debt paid, 50/225th the amount of incinerator plant debt paid, and 25/225th the amount of fire department debt paid.

I move the adoption of the foregoing resolution, this the 1st day of November 1922.

Commissioner

Approved:

Corporation Counsel.

[illegible] Martin Roberts, [illegible] Williams, R. J. [illegible] and R. L. Patterson, [illegible] County.

[illegible] the official seal of said City, [illegible], A. D., 1922.

Secretary-Treasurer

A resolution authorizing $150,000. Street Improvement Bonds, was presented to the Board, and on motion, duly seconded, unanimously adopted.

A RESOLUTION AUTHORIZING ~~$150,000.~~ 140,000. STREET IMPROVEMENT BONDS OF THE CITY OF ASHEVILLE.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is necessary immediately to issue all of the ~~$150,000.~~ 140,000. Street Improvement Bonds authorized by an Ordinance passed ~~August 30th~~ June 5th, 1922.

Section 2. That the estimated cost of the improvement for which said bonds are to be issued is $150,000.

Section 3. That petitions have been filed by property owners as required by law for the making of such local improvements as are described in said Ordinance by means of moneys raised in part from special assessments certified to by the City Engineer and the Secretary-Treasurer, and that the estimated cost of improvements so petitioned for is $100,000., which improvements have been ordered made; and that no other local improvements shall be made from the proceeds of said bonds, except improvements within those zones of the city in which, by the city charter, the city may make such improvements and charge at least 1/4 of the cost thereof upon abutting property, without the necessity of filing petitions therefor.

Section 4. That it is hereby found, determined and declared that the probable period of usefulness of such improvement is 20 years from September 1, 1923, being one year after the date of passage of said Ordinance.

Section 5. That said street improvement bonds shall immediately be issued in the aggregate sum of ~~$150,~~140,000, consisting of ~~150~~ 140 bonds of $1,000. each, dated September 1st, 1922 solely for the purposes named in said Ordinance, bearing interest at a rate not exceeding six per centum per annum, to be hereafter determined upon the receipt of bids for said bonds both principal and interest to be payable in gold coin of the

United States of the present standard of weight and fineness at the office of the United States Mortgage & Trust Company in the City of New York; said bonds to mature in numerical order, September 1, annually, ~~$8,000~~ $5,000. 1924 to 1933 ~~and $7,000. 1934 to 1943, all~~ inclusive.

I move the adoption of the foregoing resolution, this the 1st day of ~~September~~, 1922.

Commissioner.

Approved:

Corporation Counsel.

A resolution providing form and execution of $375,.00. City of Asheville dated September 1st., 1922, was presented to the Board and on motion, duly seconded, unanimously adopted.

RESOLUTION PROVIDING FORM AND EXECUTION OF CERTAIN BONDS DATED SEPTEMBER 1, 1922.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That $225,000. Public Improvement Bonds and $150,000. Street Improvement Bonds, all dated September 1, 1922 shall be signed by the Mayor and Secretary-Treasurer under the City Seal, and the annexed interest coupons shall be signed by the Secretary-Treasurer, whose signature upon such coupons may be in fac-simile.

Section 2. That the designation of each of said two bond issues, which designation is to be stated in the caption of each bond with reference made thereto in each coupon, shall be Public Improvement Bond and Street Improvement Bond, respectively.

Section 3. That the said Public Improvement Bonds shall contain substantially the following recital:

> "This bond is one of 225 bonds of like date and amount, aggregating $225,000. comprising a consolidated issue made up of four several bond issues authorized by four several ordinances respectively, passed August 29th,1922; one being for $100,000. for the extension of the city's water supply system, another $50,000 for the extension of the city's sewerage system another $25,000 for the erection of a building for the city fire department, and the other $50,000 for the erection of a plant for the incineration of ashes, garbage and refuse, other than sewage, and this bond is issued under and pursuant to the Municipal Finance Act of North Carolina and the said Ordinances and a resolution subsequently passed."

Section 4. That the said Street Improvement Bonds shall contain substantially the following recital:

"This bond is one of 150 bonds of like date and amount, aggregating $150,000 and is issued for the purpose of constructing or re-constructing the surface of streets within said city under and pursuant to the Municipal Finance Act of North Carolina and an Ordinance passed August 29th 1922; and a resolution subsequently passed."

Section 5. That said Public Improvement Bonds shall be numbered from 1 to 225 and said Street Improvement Bonds from 1 to 150, all inclusive:

Section 6. That the form of said bonds and coupons except for the express recitals hereinabove provided, and except as to the necessary changes in numbers and maturities, shall be substantially as follows:

No _____ STATE OF NORTH CAROLINA $1,000.00
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE.

_____BOND.

KNOW ALL MEN BY THESE PRESENTS, that the City of Asheville in the State of North Carolina, is justly indebted and for value received hereby promises to pay to the bearer on the first day of September 19 ___ the principal sum of

ONE THOUSAND DOLLARS

with interest thereon at the rate of _____ per centum per annum, payable semi-annually on the first days of March and September in each year upon the presentation and surrender of the annexed interest coupons as they severally become due. Both principal and interest of this bond are payable at the office of the United States Mortgage and Trust Company in the City of New York and State of New York in gold coin of the United States of the present standard of weight and fineness. For the prompt payment hereof, both the principal and interest as the same become due, the full faith and credit of the said municipality are hereby irrevocably pledged.

(here insert the recital provided above)

It is hereby certified and recited that all acts, conditions and things required to be done, happen and exist precedent to and in the issuance of this bond have been done, happened and do exist, as required by the laws and constitution of said State; that provisions have been made for the levy and collection of an annual tax upon all taxable property within said city, sufficient to pay the interest and principal hereof, as the same respectively fall due; and that the total indebtedness of said city, including this bond, does not exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF said City of Asheville, by its Board of Commissioners, has caused this bond to be signed by its Mayor and its Secretary-Treasurer and its corporate seal to be hereto affixed, and the interest coupons hereto attached to be executed with the facsimile signature of its Secretary-Treasurer, all as of the 1st day of September, 1922.

_____
Mayor.

_____
Secretary-Treasurer.

(Form of Coupon)

No. ___ $_____

On _____ first, 19_____, the City of Asheville, North Carolina, will pay to the bearer at the United States Mortgage and Trust Company, of New York City, the sum of

$_____

in gold, as provided in and for the semi-annual interest on its _____ bond, dated September, 1, 1922, and numbered _____.

_____
Secretary-Treasurer.

I move the adoption of the foregoing resolution this the 1st day of September 1922

R L Sherrill
Commissioner.

Approved:

_____
Corporation Counsel

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE) ss.
CITY OF ASHEVILLE)

I, F. L. Conder, Secretary-Treasurer of the City of Asheville, n. C., hereby certify that the foregoing resolution is a true and correct copy of a resolution passed by the Board of Commissioners of the City of Asheville, at a regular meeting held in the City Hall in said city at the hour of 11 o'clock, A. M., on the 1st day of September, A. D., 1922; present and participating in said meeting, the Honorable Gallatin Roberts, Mayor-Commissioner of Public Accounts and Finances, R. J. Sherrill, Commissioner of Public Works and R. L. Fitzpatrick, Commissioner of Public Safety.

WITNESS my hand and the official seal of said City, this the 1st day of September, A. D., 1922.

F. L. Conder
Secretary-Treasurer.

A resolution directing the Secretary-Treasurer to publish a notice in the Asheville Citizen and Asheville Times published in Asheville and the Daily Bond Buyer, published in New York City stating that sealed bids are received for $375,000. bonds of the City of Asheville, dated September 1st, 1922 and substantially fixing the form of advertisement or notice, was presented to the Board and on motion, duly seconded, unanimously adopted.

RESOLUTION ORDERING ADVERTISEMENT OF $375,000. CITY OF ASHEVILLE BONDS.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That it is hereby found and determined that the Asheville Citizen and the Asheville Times, published in Asheville, are, within the meaning of Section 2956 of the Municipal Finance Act, 1921, financial papers or trade journals within the State of North Carolina, which publishes from time to time notices of the sale of municipal bonds.

That the Secretary-Treasurer be, and he is, directed to publish a notice in the Asheville Citizen and the Asheville Times, published in Asheville, and in the Daily Bond Buyer, published in New York City, stating that sealed bids are received for $375,000. Bonds of the City of Asheville, dated September 1, 1922, and authorized by resolutions passed September 1st, 1922, which advertisement may be substantially in the following form:

" $375,000.00
City of Asheville, North Carolina
Bonds.

Sealed bids for the above bonds, addressed to the undersigned, will be received by the Board of Commissioners of the City of Asheville, at the City Hall in said City, until September 20th, 1922 at 4 o'clock P. M.; said bonds to be dated September 1, 1922, with interest at not more than six (6%) per centum per annum, payable March 1st and September 1st, principal and interest payable in New York City in gold. Denomination $1,000., maturing annually September 1st, as follows:

Public Improvement Bonds, $4,000. 1924 to 1933, $6,000. 1934 to 1944, $9,000. 1945 to 1955 and $10,000. 1956 to 1957. Street Improvement Bonds $8,000. 1924 to 1933 $7,000. 1934 to 1943, all inclusive.

The Public Improvement Bonds constitute a consolidated issue, $100,000. for water extension, ~~$50,000. for sewerage extension~~, $60,000. for incineration plant and $25,000. for fire department building.

The bonds are to be prepared under the supervision of the United States Mortgage and Trust Company of New York City, which will certify as to the genuineness of the signatures of the City officials and the seal impressed thereon.

All bonds will bear one rate of interest not exceeding six (6%) per centum per annum and bidders are requested to name the rate in a multiple of one fourth of one per cent.

These bonds are general obligations of the City and an unlimited tax for the payment of the principal and interest thereof has been authorized by law and ordinance.

Bids are desired on blank forms, which will be furnished by the said trust company.

The purchaser will be furnished the approving opinion of Chester B. Masslich, Esquire of New York City.

Bonds will be delivered on or about ~~October 11~~, 1922, at the office of the United States Mortgage & Trust Company in New York City, and must be paid for on delivery.

Each bid must be accompanied by a certified check for two per cent (2%) of the face amount of the bonds bid for, drawn to the order of the City of Asheville, or to the undersigned, upon an incorporate bank or trust company, or cash in like amount, to secure the city against any loss resulting from the failure of the bidder to comply with the terms of his bid.

No bid under par and accrued interest will be entertained.

The right to reject any and all bids is reserved.

F. L. Conder,

Secretary-Treasurer"

I move the adoption of the foregoing resolution, this the 1st, day of September, 1922.

R. J. Sherrill

Commissioner.

Approved:

George Pennell

Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE
} ss

I, F. L. Conder. Secretary-Treasurer of the City of Asheville, hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners, in regular session, in the City Hall of said city, at the hour of 11 o'clock A. M. September 1st, 1922, Mayor- Commissioner of Public Accounts and Finances, Gallatin Roberts presiding; present and participating in said meeting, R. J. Sherrill Commissioner of Public Works and R. L. Fitzpatrick, Commissioner of Public Safety.

Witness my hand and the official seal of said city, this the 2nd day of September, 1922.

F. L. Conder,

Secretary-Treasurer.

Weekly reports from the Public Health Nursing Association, Sealer of Weights and Measures, Plumbing Inspector, Building Inspector, Aston Park Playground, Colored Swimming Pool and the Dog Catcher, also from the Street, Street Cleaning, Health and Incinerator Department ; as well as the monthly report of the Fire Department, were read to the Board and on motion ordered filed.

On motion, the following building permits were granted:

Guy Crawford	Repairs	58 Arlington St	Estimated Cost	250.00
C D Edwards	Garage	46 Orchard St	" "	100.00
Fred James	3 room house	Woodlawn Avenue	" "	1500.00
Maggie Scales	5 room house	W. of Buffalo St	" "	1500.00
D. Troxler	Repairs	161 Biltmore Ave	" "	300.00
S S Williams	7 room house	Maxwell St	" "	6500.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, September 2nd, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. Commissioner Fitzpatrick absent on official business. The minutes of the previous meeting were read and approved.

One W. W. Wamboldt representing his mother, Mrs. M. B. Wamboldt, appeared before the Board and contended that his mother's property had been assessed for a sewer on Brownwood Avenue, but that the property in question had been connected with the Brevard Road sewer and had no use for the sewer for which it had been charged.

This matter, on motion, referred to the Commissioner of Public Works for investigation and report.

On motion, adjourned.

Secretary-Treasurer.

Tuesday, September 5th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The Commissioner of Public Safety recommended the purchase of white brick at $57.00 per thousand to use in designating safety zones in place of paint, explaining that it was now costing the city $35.00 each time the streets were painted and they are being painted twice a month.

This matter, on motion, referred to the Commissioner of Public Works with request that he furnish the Board with an estimate of the cost of purchasing and laying said brick.

Messrs Dan W. Hill and D. Hiden Ramsey, representing the Community Service, appeared before the Board and explained that their organization was attempting to organize, various play ground games and requested that the City install two or three lights on the playground just below the express office on Patton Avenue in order that games might be played after working hours in the evening.

This matter on motion referred to the Commissioner of Public Works for investigation and report.

The complaint of a Mr. Buckner that the building adjoining the old Eagle property was unsafe, one of the walls next to the old Eagle building which he is tearing down is liable to fall down when the building he is working on is removed, was, on motion, referred to the Commissioner of Public Safety for handling with the Building Inspector.

On the recommendation of the City Tax Collector it was ordered, on motion, that the classifications in the Special Tax Ordinance of the following restaurants, be changed as follows:-

Crystal Cafe #2	from	Class	"A"	changed to		Class	"B"
Pinty Moore's	"	"	"	"	"	"	"B"
D. Gross	"	"	"	"	"	"	"B"
Auto Lunch	"	"	"B"	"	"	"	"C"
Quality Lunch	"	"	"B"	"	"	"	"C"
Patton Avenue	"	"	"B"	"	"	"	"D"
Gold Star	"	"	"B"	"	"	"	"D"
Star Cafe	"	"	"B"	"	"	"	"C"

One Roy A. Shook having filed bond, court record, doctor's certificate and recommendations as required under the ordinance governing the operation of public service automobiles in the city, and all papers being approved, his application for a license to operate a public service automobile in the city, was, on motion, approved, and it was ordered that he be granted the license requested.

The City Engineer's reports showing total and pro rata cost to property owners for the construction of a six inch pipe sanitary sewer on Brownwood Avenue, and a six and eight inch pipe sanitary sewer on Virginia Avenue and Central Street, having been advertised according to law, the liens were on motion, declared complete and operative and a list of same ordered turned over to the tax collector for collection.

6 inch pipe sewer
Brownwood Avenue

August 9th - 1922

Built by the City

Labor	$210.00
400 feet 6" pipe at 17¢ per foot	68.00
7 bags of cement at 80 cents	5.60
Sand, one yard at $1.30	1.30
Manhole frames and covers 2 at $7.45 each	14.90
Brick 1500 at $10.00 per thousand	15.00
Advertising	20.00
Engineering	16.08
	$350.88

Lot No.	Name	Feet	Price	Amount.
62	Mrs. W. E. Logan	70	.43	30.10
61	" " " "	70	"	30.10
60	" " " "	70	"	30.10
59	" " " "	70	"	30.10
58	Lon C. Bradley	60	"	25.80
57	W. W. Wamboldt	60	"	25.80
56	A. J. P. Julian Estate	66	"	28.38
55	" " " " "	70	"	30.10
54	" " " " "	70	"	30.10
53	Mrs. W. E. Logan	70	"	30.10
52	" " " "	70	"	30.10
51	" " " "	70	"	30.10
		Total		$ 350.88

B. M. Lee, City Eng.

6 inch and 8 inch pipe sewer
Virginia Avenue, Central Street and outlet

August 5th, 1922.

Built by city

Labor	1,253.75
[illegible] feet 6 inch pipe at	224.40
987 " 8 " " "	266.49
3[illegible] bags cement at 8[illegible] cents	25.60
Sand, 3 yards at $1.30	3.90
Manhole frames and covers 9 at $7.45	67.05
Old brick 735 at $10.[illegible]0 per M	73.50
Advertising	20.00
Engineering	54.91
	$1,989.60

ASSESSED PROPERTY OWNERS.

LOT No.	Name	Feet	Price	Amount.
40	T. H. Miller	167	.60	100.20
108	[illegible]	239	"	143.40
106	[illegible] Mitchell	363	"	217.80
105	Lee Holcombe	100	"	60.00
104	E. [illegible] Bean	80	"	48.00
103	Roy E. Henry	80	"	48.00
102	Mrs. Rachel Davis	80	"	48.00
101	"	80	"	48.00
38	W. [illegible] Stowe	51	"	30.60
109	J. [illegible] Penland	50	"	30.00
110	"	50	"	30.00
111	"	50	"	30.00
112	"	50	"	30.00
113	"	50	"	30.00
114	W. S. Hutchinson	50	"	30.00
115	"	50	"	30.00
116	Robert L. Spivey	115.5	"	69.30
117	W. C. Mears	109	"	65.40
107	C. P. Brooks	260.	"	156.00
119	[illegible] J. M. Crawford	86.5	"	51.90
120	C. B. Hawkins	100.	"	60.00
121	"	41	"	24.60
133	S. [illegible] Hall	50	"	30.00
132	"	50	"	30.00
131	"	50	"	30.00
130	"	50	"	30.00
129	"	64	"	38.40
122	J. [illegible] Swann	97	"	58.20
123	[illegible] Chunn	85	"	51.00
124	[illegible] J. Cairns	85	"	51.00
125	Mrs. Mary Chunn	133	"	79.80
127	M. P. Shook	175	"	105.00
128	Fredk. & David Williams	175	"	105.00
				$1,989

B.M.Lee, City Eng.

On motion, adjourned.

Secretary-Treasurer.

Wednesday, September 6th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney Howell representing a Mrs.Hood of #318 Broadway, appeared before the Board and explained that some time ago his client purchased her property from a Mr. Graham and that since the purchase, it had developed that the strip of land lying between his client's property and the street was condemned by the city, some time ago, for street purposes, therefore his client's property did not abutt on the street and was not liable for assessments on account of the paving of this street.

This matter, on motion, referred to the Commissioner of Public Works for investigation and report.

Upon the recommendation of the Commissioner of Public Works it was ordered, on motion, that a building line be established on the North side of Haywood Street from Flint Street to Montford Avenue, of 12 feet from the street line. This in accordance with the map or plat submitted by the City Engineer.

File No. Letters

This being the day according to the city's advertisement that bids were to be submitted on the furnishing of the city's supply of coal for the coming fiscal year, the Clerk was, on motion, instructed to open and read all bids submitted, whereupon the following bids were opened and read to the Board.

Asheville Blue Gem Coal Company

Run of Mine	$11.75
Lump Coal	13.50

Merchants Transfer and Coal Company

Run of Mine	10.47
Lump Coal	11.97

Southern Coal Company

Clinchfield Run of Mine	9.10
Clinchfield Lump	10.10

It appearing to the Board that the bid submitted by the Southern Coal Company was the best and lowest bid received, it was ordered, on motion, that the contract for the city's supply of coal during the year 1922 --- 1923 be awarded to the Southern Coal Company on its bid as stated above.

On motion, the following building permits were granted:

W. F. Cornell	Garage	Waynesville Avenue	Estimated Cost	$40.00
R C Davis	8 room house	North Liberty St	" "	15,000.00
H? T. Dillingham	6 room house	Baker Street	" "	3,050.00
L. W. Hill	6 room house	Victoria Place	" "	4,000.00
A Leatherwood	Repairs	113 Cherry St	" "	100.00

On motion, adjourned.

Secretary.-Trasurer.

Thursday, September 7th- 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The application for permission to peddle key ring tags on the streets of the city, was, on motion, respectfully refused.

The application of one J. T. McDonald for a license gratis to peddle a silver plate cleaner, was, also on motion, respectfully refused.

On motion it was ordered that the bond of Arthur D. Moore be surrendered to his bondsmen, the Red Bus Line Inc. said bondsmen have returned the chauffeurs license issued to the said Moore

[illegible] CHAUFFEURS LICENSE

W. L. Sumner, Henry L. Sorrels, and J. L. Morris, having filed bonds

court record, Doctor's certificates and recommendations as required under the ordinance governing Public Service automobiles in the City of Asheville, and all papers being approved, their applications for license to operate Public Service automobiles in the City were, on motion, approved and it was ordered that they be granted the licenses requested.

On motion, the following building permits were granted:

John C. Bell	Garage	175	Cumberland Ave	Estimated Cost	200.00
Mrs. W. P. Garwood	[illegible]	90	Sandhill Road	" "	56.00
J. C. Griffin	[illegible] 5 rooms and 1 house 4 rooms		Fair Street	" "	2500.00
				for the two(2)	
Annie Livingston	[illegible]	84	Hill Street	Estimated Cost	200.00
J. B. Powell	6 room House		South Ann St	" "	4500.00
Charles Rhoads	7 room House		Magnolia Ave	" "	4000.00

Secretary-Treasurer.

Friday, September 8th, 1922. 11 o'clock.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The judgment of $50.00 in the case of O. D. Revell, vs. the City of Asheville having been paid in full, on motion, the Corporation Counsel was authorized and instructed to mark the judgment off, on the books of the Superior Court.

On motion, one Fred Sluder was granted permission to conduct a detective agency in the city, on payment of the regular license tax.

A Mr. Cash appeared before the Board and asked the status of the proposed opening of 8th Avenue. Mr. Cash was informed by the Commissioner of Public Works that the city could probably start this work within the near future.

A request for two additional lights on Michigan Avenue, was, on motion referred to the Commissioner of Public Works for investigation and report.

Attorney James Howell representing one Vance Guest, appeared before the Board and requested permission to stage automobile races on Cumberland Avenue on September 16th, stating that these races were to be given for the purpose of advertising the various automobiles handled by dealers of the city, this matter, was, on motion taken under advisement.

Mr. [illegible] appeared before the Board and called attention to the necessity of some [illegible] ordinance of the city so as to require inspection of all plumbing repairs, stating that the plumbing at his place had been dug up four (4) times within the last three years and replaced without ever being inspected.

In stressing the necessity of requiring inspections Mr. D. Gross explained that four members of his family were in the hospital at present suffering with Typhoid fever and that he had been informed by the Plumbing Inspector that the plumbing in the house in which he lived is in such condition that it cannot be occupied until the plumbing is repaired.

This matter, on motion, taken under advisement.

Weekly reports from the Public Health Nursing Association, Sealer of Weights and Measures, Plumbing Inspector, Building Inspector, Dog Catcher and from the colored swimming pool, Street Department, Street Cleaning Department, Water, Department, Incinerator Department and Health Department were read to the Board and on motion, ordered filed.

On motion the following building permit was granted:-

M. [illegible] Whisnant	Garage		123 State Street	Estimated Cost	$75.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, September 9th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The complaint of B. C. Bryson that when widening Westwood Place the old Board of Aldermen of West Asheville had torn down his rock wall, removed his shade trees and taken about 5 feet of his land together with this request that he be allowed something off on his paving assessment on account of damage to his property, was on motion, taken under advisement.

Attorney James Howell, representing one Vance Guest, was again before the Board with reference to the automobile races his client proposes to hold on Cumberland Avenue on September 16th. Mr. Howell presented a list of the automobile dealers who had agreed to participate in the races and stated that so far as he knew no complaint had been made.

After some discussion during which Mr. Sawyer of the Sawyer Motor Company stated that in his opinion the races proposed to be held would be of interest to the people of Asheville, it was ordered on motion, that the matter be held in abeyance until the regular meeting of the Board on next Tuesday in order that the property owners and residents of Cumberland Avenue might have the opportunity of protesting if they so desired.

It was suggested to Mr. Howell that his client endeavor to get a petition from the residents and property owners in the immediate section in which the races are proposed to be held asking that he be given the permission requested.

One John White having filed bond, court record, Doctor's certificate and recommendations as required under the Ordinance governing Public Service automobiles in the City of Asheville and all papers being approved, his application for a license to operate a public service automobile in the city, was on motion, approved and it was ordered that he be granted the license requested.

On motion, the following building permits were granted:

J. C. Barnes	4 room house		Clemmons Street	Estimated Cost	$900.00
R. E. Bowles	1 room house		Lexington & Aston St	" "	2,000.00
J. W. Buchannon	Shed		Forest Hill	" "	200.00
Miss Blanche Hamilton	5 room house		Murdock Avenue	" "	2,500.00
J. H. Jenkins	7 room house		Forest Hill	" "	11,000.00
R. Wilson	back porch		179 Flint St	" "	75.00

On motion, adjourned.

Secretary-Treasurer.

Monday, September 11th 1922- 11 o'clock A.M.

The Board of Commissioner met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

It appearing to the Board that it is necessary to construct a sanitary sewer to accommodate certain houses in the Forest Hill section, said sewer to connect with the main in Biltmore Avenue, the Commissioner of Public Works was authorized and instructed to proceed with the construction of said sewer, in accordance with the laws in such cases made and provided. The cost of same to be assessed against property benefitted.

The request of Mrs. Morris Myers for a street light on Biltmore Avenue near Allison's store was, on motion, referred to the Commissioner of Public Works for investigation and report.

F. L. McCURRY - WATER LINE -CROWN AVENUE

The request of one F L. McCurry for a water line to be constructed down Crown Street from Majestic Avenue to accommodate his property, was, also on motion, referred to the Commissioner of Public Works for investigation and report.

A. D. BRINKLEY)
C. C. WILLIS) CHAUFFEURS BOND SURRENDERED

The application of C. C. Willis, bondsman for the surrender of bond made by him for A. D. Brinkley, Public Service Automobile Chauffeur, was on motion, granted, the chauffeurs license card of the said Brinkley, having been surrendered.

The application of one J. Will Jones of Fairview for license to operate a 16 passenger Reo motor bus, in the city, was presented to the Board, and on motion taken under advisement, the Clerk being instructed to notify the said Jones to file his bonds as required under the Ordinance.

September 11th, 1922.

Hon. Mayor and City Commissioners,
City of Asheville, N. C.

Gentlemen:

I hereby apply for license to operate a 16 passenger Reo motor bus in the City of Asheville, [illegible] of Car #68501, Motor No. 62441, under the new Ordinance which requires a bond to operate such bus.

Yours truly,

J. Will Jones

Fairview, N.C.

On motion, the following building permit was granted:

F. R. Howitt	Repairs	211 Montford Avenue	Estimated Cost	$200.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday September 13th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

Attorney James Howell representing one Vance Guest was again before the Board with reference to his client's request to hold automobile races on Cumberland Avenue on September 15th.

Mr. Howell was informed by the Mayor that personally he doubted the Board's power to close a public street, especially for the purpose of permitting something that is prohibited under the State Law.

After some discussion it was ordered, on motion, that the request of Mr. Vance Guest be respectfully refused.

Application was made to the Board for permission to hold dances at the Langren Hotel under the license granted to Mr. Yarborough.

The Board having information, however, that Mr. Yarborough had sold his license to a Mr. Lafferty, the said license not being transferred to the party making the application, the request, was on motion, respectfully refused.

On motion, the following building permits were granted:

John Brades	Coal [illegible]	Argyle Lane	Estimated Cost	$20.00
Bertha Brown	[illegible]	59 Hazzard St	" "	350.00
[illegible]	[illegible]	495 W Haywood	" "	500.00
J W McElrath	[illegible]	95 Patton Avenue	" "	350.00
Geo. [illegible]	[illegible]	20 Curve St	" "	25.00
[illegible] Moore	[illegible]	Herman Avenue	" "	1900.00
[illegible] B Ray	Move and rebuild storehouse	29 Southside Ave	" "	100.00

On motion, adjourned.

Secretary-Treasurer.

Thursday, September 14th, 1922, 3 o'clock P. M.

The Board of Commissioners met at the call of the Mayor. Mayor Roberts presiding. Present and participating, Commissioner R. J. Sherrill; Commissioner Fitzpatrick absent on a vacation.

This being the day according to the City's advertisement that bids were to be received for the construction of certain sewer lines in West Asheville South of Haywood Road, the Clerk was, on motion, authorized and instructed to open and read all bids submitted, whereupon the following bids were opened and read to the Board.

Kelly Wilson and Company,

Sewer #1	11,245.00	
Sewer #2	3,212.00	
Sewer #3	8,458.00	
Sewer #4	3,240.00	
		$26,155.00

Note:
Bid contingent on award of entire contract, if any.

Howerton-Tirsway Company

Sewer #1	9,908.70	
Sewer #2	3,568.60	
Sewer #3	9,664.90	
Sewer #4	3,166.40	
		$26,308.50

Note:
If the work is awarded to us as a whole, deduct $400.00 from our bid. We reserve the right to receive all or none.

It appearing to the Board that the bid of Howerton-Tirsway Company in the amount of $25,908.60 was the best and lowest bid submitted, on motion of the Commissioner of Public Works, duly seconded and unanimously adopted, it was ordered that the contract for the construction of said sewers be awarded the said concern.

On motion, adjourned.

Secretary-Treasurer.

Friday, September 15th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session Mayor Roberts presiding. Present and participating, Commissioner R. J. Sherrill; Commissioner Fitzpatrick absent on a vacation.

The complaint of Mr. G. D. Merrimon that the contractors in charge of the construction of certain sewer lines North of Haywood Road had dug a ditch entirely across the back end of his property leaving same unprotected and entirely cutting off his stock from water, was, on motion, referred to the Commissioner of Public Works for handling with Messrs Sugg and Britt, the contractors in charge of the work.

File No. 1
Letters [illegible]

Attorney T. S. Rollins representing the Good Health Cafeteria appeared before the Board and asked for exemption of the special license tax assessed this concern, on the ground that it is a philanthropic institution and the profits of same all going to maintain a free school in Henderson County.

This matter on motion, taken under advisement.

One E. F. Green bondsman for J. Z. Brown, public service chauffeur, requested the surrender of the bond for said Brown. On motion, this request was granted, Mr. Green having surrendered the Public Service Chauffeur's license granted Mr. Brown.

[illegible]

One J. [illegible] [illegible] bond, court record, Doctor's certificate and recommendations as required under the Ordinance governing Public Service automobiles in the city of [illegible], [illegible] papers being approved, his application for a license to operate a public service automobile in the city, was, on motion, approved and it was [illegible] that he be granted the license requested.

[illegible] Health Nursing Association, Sealer of Weights and Measures, [illegible] Inspector, Building Inspector, Dog Catcher and from the colored [illegible] pool, [illegible] Department, Street Cleaning Department, Water Department, [illegible] Department and Health Department were read to the Board and on motion, ordered [illegible].

[illegible] building permits were granted:

F. Ruggles [illegible]	8 room house	Montford Ave and Cullowhee St	Estimated	Cost	$16,000.00
H. M. Br[illegible]	[illegible]	[illegible] Pearson Drive	"	"	600.00
Mrs. Cheelham	5 room house	108 Courtland	"	"	4,000.00
Donald & [illegible]	3 room [illegible]	[illegible]	"	"	18,000.00
M. Foster	fruit stand	[illegible] Clingman	"	"	49.99
J. E. Henry	1 room [illegible]	19 Buttrick St	"	"	245.00
J. W. Ingle	5 room house	Tremont St	"	"	125.00
C. P. Lingerfelt	6 room [illegible]	Biltmore Ave	"	"	3,500.00
H. W. McKenzie	[illegible]	8 Edwin Place	"	"	100.00
McDowell & Roberts	2 room building for heating and laundry	Normal School Biltmore Ave	"	"	20,000.00
G. C. Penland and R.B.Jones	1 room	23 Madison St	"	"	200.00
W. L. Teasley and S. M. White	2 rooms house	West Chestnut St	"	"	300.00
Frank [illegible] Todd	Garage	Oakwood St	"	"	60.00
Ernest Vance	1 room stand	Fayetteville St	"	"	15.00

On motion, adjourned.

Secretary-Treasurer

Saturday, September 16th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion, it was ordered that the special license issued the Byrd Motor Company be transferred to the [illegible] Motor Company, this concern having purchased the business.

On motion, it was ordered that the time for receiving bids for the construction of a [illegible] [illegible] plant, be postponed until the meeting of the Board on Tuesday [illegible].

On motion, the following building permit was granted.

C. B. McFee	[illegible]	13[illegible] S Liberty	Estimated Cost	$150.00

On motion, adjourned.

Monday, September 18th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The request of Mr. H. C. Allen that metered Public Service Motor Vehicles be granted certain exclusive privileges so far as public stands are concerned, was, on motion, referred to the Corporation Counsel for legal opinion.

Mr. Allen's request for information as to whether or not, after securing concessions from hotels and business houses he could stand his cabs in front of such hotels and business houses without regard to the Ordinance regulating the parking of public service motor vehicles, was also, on motion referred to the Corporation Counsel for legal opinion.

Mr. Allen contended that there would be no discrimination in allowing the Yellow Cabs certain privileges in view of the fact that such exclusive privileges could be granted to metered public service motor vehicles and therefore would not apply to public service motor vehicles without meters.

There being no further business the meeting on motion, adjourned.

Secretary-Treasurer.

Tuesday, September 19th, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On the recommendation of the Commissioner of Public Works, it was ordered on motion, that the colored swimming pool, Aston Park Swimming Pool and Aston Park playground be closed on September 22nd 1922, for the season.

On motion, it was ordered that the time for receiving bids for the construction of a concrete chute at the new Incineration plant be postponed until the regular meeting of the Board on Wednesday, September 20th.

On motion, the following building permits were granted:

Mrs. J. H. Cathey	6 room house	Holland St	Estimated	Cost	$3,500.00
Delia Hill	1 room addition	Waynesville Ave	"	"	50.00
David Kimberly	5 room house	King Street	"	"	1,200.00
B. J. Rucifer	Garage & poultry house	Haywood Road	"	"	75.00

On motion, adjourned

Secretary-Treasurer.

Wednesday, September 20th, 1922- 11 o'clock A.M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

The bid of R. C. Stevens in the amount of $3,377.75 for the construction of a concrete chute, was presented to the Board and on motion, referred to the Commissioner of Public Works for investigation and report.

An Ordinance regulating the establishment and maintenance of hospitals sanitariums, sanitoriums, boarding houses and lodging houses where persons suffering with

tub ...ysiagis ... received, ... to the Board and on motion, passed on its first ...

The report of the ... ration Counsel showing the result of his investigation ... of the request of ... Allen for special privileges in the way of ... space for the Y ... Company, was read to the Board and on motion ordered filed.

September 19th, 1922.

Hon. Mayor and Board of ... Commissioners,
of the City of ... N. C.

Gentlemen:-

Replying to your communication of 19th inst. requesting legal opinion as to the ability of the Board of Commissioners to take action in the form of an ordinance, if ... with the request of Mr. H.C.Allen of this city, that "metered public service motor vehicles be granted certain exclusive privileges so far as automobiles stands are concerned", I beg to advise that exclusive privileges are prohibited by the fundamental law of the land and in my opinion the granting of an exclusive privilege to metered public service motor vehicles, while the same privilege is barred to the owners of public service motor vehicles not metered, would be unvalid as unjust and discriminatory.

In regard to the second paragraph of the aforementioned communication "as to whether or not, after securing concessions from hotels and business houses, Mr Allen could station his cabs in front of such hotels and business houses without regard to the Ordinance prohibiting the stopping of public service motor vehicles." I have to advise that in my opinion such action would be invalid, for that the owner of a hotel or business house has no more right to grant concessions in the sidewalk and street in front of the said ... houses of business than the humblest citizen and tax payer, who may live anywhere within the corporate limits, and in my opinion the only way that Mr. Allen or any other person, could stand cabs in front of hotels and business houses where securing concession for the same, would be to place his cabs on property belonging to such hotels or business houses. It is obvious to anyone, after considering the request, that the owner of a hotel or business house has no right to grant concessions in property which belongs to the public. The question of the right of an abutting property owner to an abandoned street when the title is not vested in fee in the municipality, or the right of such owner to compensation where an additional burden is imposed upon any such street, is not at issue in this discussion, and this opinion has no reference to the law applicable to such conditions.

In support of the opinion heretofore given, I cite opinions of the Courts of last resort, as follows, and very briefly quote a few of the same.

"Public highways belong from side to side and end to end to the public subject to the right of an abutting property owner to use of the street that the public have, and in addition thereto, he has rights which are special to himself, as the right of ingress and egress." Bishop vs City of St. Louis 22 S.W. 898.

The ... Court of Appeals decided that it was beyond the power of a municipality to license the keeping of a grocer's wagon in front of his store when not in use, when ... going to and from the store. In Cohen vs N.Y. 113 N.Y. 532 holding that "the primary use of a highway is for the purpose of permitting the passing and repassing of the public, and it is entitled to the unobstructed and uninterrupted use of the entire width of the highway for that purpose under temporary exceptions as to deposits ... building purposes, and to load and unload wagons, and receive and take away property for or in the interest of the owner of the adjoining premises, and familiar as the law is on the subject it is frequently disregarded or lost sight of by ... granted by governing bodies for purposes in regard to which the governing body assuming to represent the city has no power whatever and the permit ... gives no rights to the party who obtains it."

Opinions in support of this opinion may be found in a very recent opinion of the Tennessee ... Court as the case of Stewart vs Illinois Central Railroad Company ... 1041 ... 113 Pacific Reporter 576 in the case decided by the Supreme Court of the State of Washington; also in Elliott on Roads and Streets (2Ed) 645 and 2 McQuillin on Municipal Corporations 2913-2916.

Yours truly

George Pennell

Corporation Counsel.

...10%

The ... of Patrolman W. R. Roberts was presented to the Board and on the ... of the Commissioner of Public Safety was accepted, with regret.

Asheville, N.C.
September 17th, 1922

Capt. R.L.Fitzpatrick
Commissioner of Public Safety.

Dear Sir:-

I hereby tender my resignation as Patrolman for the city of Asheville as I have been able to secure a better position and think it best for me to take it. I wish to extend my sincere thanks to you, Mayor Roberts and Commissioner Sherrill for what you have done for me.

Very truly yours,

W. R. Roberts.

One George H. Williams having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance governing public service automobiles in the City of Asheville and all papers being approved, his application for a license to operate a public service automobile in the city was, on motion, approved and it was ordered that he be granted the license requested.

On motion the following building permit was granted:

Brow... Carter Repairs Haywood Road Estimated Cost $50.00

On motion, adjourned.

Secretary-Treasurer.

4 o'clock P. M. Wednesday, September 20th, 1922.

In accordance with the City's advertisement the Board of Commissioners met for the purpose of considering proposals for the $375,000.00 City of Asheville bonds, Mayor Gallatin Roberts presiding. Present and participating Commissioner R. J. Sherrill Commissioner of Public Works, and R. L. Fitzpatrick, Commissioner of Public Safety.

On motion, the Clerk was instructed to open and read all bids submitted whereupon the following bids were opened and read to the Board.

$375,000. City of Asheville Bonds
Tabulated list of bids submitted
September 20th, 1922.

Name & Address of Bidder	Interest Rate	For $225,000. Bonds	For $150,000. Bonds	Total Bid
Caldwell & Co. 214 Union St., Nashville, Tenn.	4½%	225,295.00	150,195.00	$375,490.00
The Fifth-Third Natl. Bank, Cincinnati, Ohio Detroit Trust Co. Detroit, Mich., and A. B. Leach & Co. New York.	4½%	228,313.00	150,472.00	378,785.00
American Trust Co. Charlotte, N.C.	4½%			379,460.00
Seasongood & Mayer J. G. White & Co. B. J. Van Ingen & Co. Send to Seasongood and Mayer, Cincinnati Ohio.	4¼%	225,135.00	150,090.00	375,225.00
The Provident Savings Bank and Trust Company Cincinnati, Ohio.	5%	228,532.50	150,855.00	379,387.50
Bankers Trust Co. New York City	4½%	225,760.00	152,650.00	378,410.00
Wachovia Bank & Trust Co Asheville, N.C.	4½%	225,247.50	150,165.00	375,412.50
Kaufman Smith, Everett Co and Stacy and Braun Toledo Ohio.	4½%	225,250.00	150,167.00	375,417.00
Marx and Company Birmingham, Ala	4½%	227,757.00	150,101.00	377,858.00
First Natl. Bank Durham, N. C.	4½%	225,078.75	150,052.50	375,131.25
Weil Roth and Co. Cincinnati, Ohio.	4½%	225,117.00	150,045.00	375,162.00

It appeared [illegible] that the bid submitted by the American [illegible] highest bid received, it was [illegible] be awarded to that concern on its bid as follows:

" [illegible]

September 20th, 19[illegible].

[illegible]

Dear Sir:-

[illegible] City of Asheville, described in the annexed advertisement [illegible] part of this bid, we will pay:

[illegible] Improvement Bonds . . . . . .

. . . . . Dollars ($ . . . . . .)

and

[illegible] Street Improvement Bonds Three Hundred Seventy Nine thousand four hundred sixty dollars ($379,460.00).

[illegible] bid is for all of both issues and not for any portion thereof.

In addition thereto we will pay accrued interest from date of bonds to date of delivery. Delivery will be accepted at the time and place stated in the annexed advertisement and the bonds will be paid for on delivery.

[illegible] $7,500. in money, or a duly certified check, payable to the order of [illegible], Secretary-Treasurer, or the City of Asheville for the same amount, such enclosure to be returned to the undersigned if this bid is not accepted; otherwise, to be deposited by the said Secretary-Treasurer or by the City, and when the bonds are delivered and paid for, under the terms of this bid, to be considered as an advance part payment therefor, or to be retained as and for liquidated damages in case the undersigned fails to take up and pay for the bonds.

American Trust Company,

Bond Department

By Frank B. Green,
Mgr.

No addition or alteration is to be made to this proposal and the same is not to be detached from the annexed advertisement. "

There being no further business, the meeting on motion adjourned.

Secretary-Treasurer.

Thursday, September 21st, 19[illegible]. 11 o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

One S. A. Fortune appeared before the Board and requested either a refund on his special license tax paid by him, on public service automobiles, in view of the fact that he went out of business shortly after purchasing the same, or that he be allowed to transfer his license to C.S.Alley.

This matter on motion, taken under advisement.

The Commissioner of Public Works reported that several very prominent families living outside of the corporate limits of the city, regardless of the many appeals made by the city for conservation of water during the present drought, were watering their lawns and requested that the Police Department be instructed to keep a close watch for such parties reporting the names to the Commissioners so that their water supply could be discontinued.

This matter on motion, referred to the Commissioner of Public Safety with the request that he have the plain clothes men look into it.

On the recommendation of the Commissioner of Public Works it was ordered on motion that the contract for the construction of a concrete chute at the new incineration plant be awarded to R. C. Stevens on his bid of $3,377.75 and the Corporation Counsel was ordered instructed to draft the contract.

One Murphy Anderson having filed bond, court record, doctor's certificate and recommendations as required under the Ordinance governing Public Service automobiles in the City of Asheville and all papers being approved, his application for a license to operate a public service automobile in the city, was on motion approved and it was ordered that he be granted the license requested.

An Ordinance regulating the establishment and maintenance of hospitals, sanitariums, sanitoriums, boarding houses and lodging houses where persons suffering with tuberculosis are received, was presented to the Board and on motion, passed on its second reading.

On motion the following building permits were granted:-

D. H. Call	Sleeping porch	190	S French Broad	Estimated Cost	$75.00
John Davis	Repair house		Hall Street	" "	300.00
Nathaniel Davis	4 room house		Knob Circle	" "	1,100.00
J. S. Griffin	2 room house		Fair Street	" "	800.00
" " "	3 room house		Southern St	" "	1,500.00
E. M. Orr	repairs	179	Woodfin St	" "	70.00
H.M.Pinner	"		Sulphur Springs Rd	" "	150.00

On motion, adjourned.

Secretary-Treasurer.

Friday, September 22nd, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

On motion the Mayor was authorized to issue a check in favor of E. T. Belote, payment on contract for repairs to the reservoir, for $7,500.00 This in accordance with Engineer C. E. Waddell estimate of September 21st, 1922.

CITY RESERVOIR

Labor and material on job as of September 21st, 1922.

Lumber		$1,750.00	
Nails		80.00	
4 cars sand		400.00	
Stone		800.00	
1 car cement		700.00	
Steel 2 cars		3,500.00	
Crosby clips		500.00	
Labor		2,800.00	
			10,530.00
Waterproofing material	$3,500.00		
Labor	800.00		4,300.00
			14,830.00
Deduct approved estimate of Aug. 24th			5,000.00
			9,830.00
80% equals $7,864.00			
Approved for payment on the E.T.Belote Contract			$7,500.00

9/21/22
Estimate made by
E. M. Jones

Charles E. Waddell

Approved R. J. Sherrill.
Paid- September 22nd, 1922. Voucher No. 183.

The recommendation of the Commissioner of Public Works that all preliminary proceedings looking to the issuance of $500,000 Water bonds be perfected and that the Department of Public Works be authorized to employ a force of men to clear off the site of the proposed empounding basin on Bee Tree watershed also that the funds necessary to carry on the preliminary work be taken from one of the other bond funds, said funds so used to be replaced out of the proceeds of the said water bonds, and that plans and specifications covering the empounding basin be prepared and the Purchasing Agent be authorized to advertise for bids when said plans are completed, was on motion, duly seconded and unanimously adopted.

Asheville, N.C.September 22nd, 1922.

To the Honorable Mayor and Board of Commissioners,
City of Asheville, N.C.

Gentlemen:-

The present shortage in the water supply of the City, demonstrating clearly the fact that it is imperative for immediate steps to be taken to supplement, in some manner, our water supply, and Mr. C. E. Waddell an engineer of recognized ability, after an exhaustive study, having recommended that an empounding basin be constructed on the Bee Tree watershed in order that the City might receive the full capacity of the Bee Tree water line during all seasons of the year; the said line at the present time delivering about one third capacity, said empounding basin to cost, according to Mr. Waddell's estimate not exceeding $500,000 I respectfully recommend

First, that all preliminary proceedings, looking to the issuance of $500,000. Water bonds to be dated April 1, 1923 be perfected.

Second, that the Department of Public Works be authorized to immediately employ a force of men to clear off the site of the proposed empounding basin and do other work preliminary to the actual construction of the necessary dam.

Third: That the funds necessary to carry on this preliminary work be taken from one of the other bond funds of the city, the proceeds of which cannot be used for the purpose for which said proceeds were appropriated before next Spring, the said funds so used to be replaced out of the proceeds of said water bonds when same are disposed of.

That the plans and specifications covering the proposed empounding dam be immediately prepared and that the Purchasing Agent be authorized, as soon as said plans are completed to advertise for bids for the construction of said dam; the work to be started as soon as the site has been cleared off and all preliminary work performed.

I make this recommendation, feeling that it is absolutely necessary if we are to avoid a re-occurrence of the present water shortage and supply the citizens of Asheville with an adequate supply of water, that we take action at once.

Respectfully recommended.

R. J. Sherrill

Commissioner of Public Works.

Mr. S. G. Bernard appeared before the Board and spoke at some length relative to Mr. Sherrill's recommendation.

Mr. Bernard stated that there was a difference of opinion between Mr. Waddell and himself, and expressed the opinion that there were a number of sources of water supply which the city could secure at a reasonable cost. That it should be the policy of the Board, before attempting to empound the water, to make an effort to secure fresh running water, regardless of the cost. He further stated that he was reliably informed that there was an ample supply of water at present on the North Fork water shed to fill another pipe line and that in his opinion this additional pipe line would be much more preferable to empounding water at Bee Tree.

A resolution exercising the right and power vested in the Board of Commissioners by an act of the General Assembly at the 1921 Special Session, was presented to the Board and on motion, duly seconded, unanimously adopted.

A RESOLUTION EXERCISING THE RIGHT AND POWER VESTED IN THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE BY AN ACT PASSED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA AT A SPECIAL SESSION, 1921 ENTITLED " AN ACT PROVIDING FOR THE ESTABLISHMENT OF PLANNING COMMISSIONS IN THE CITIES AND TOWNS OF NORTH CAROLINA AND PRESCRIBING THE POWERS AND DUTIES OF SUCH COMMISSIONS"

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That the Board of Commissioners do hereby create a Board to be known as the "City Planning Commission" of the City of Asheville, North Carolina which Board shall consist of five members and said City Planning Commission is hereby authorized and fully empowered to perform all of the duties and functions of a city planning commission as defined in an act of the General Assembly more specifically set forth in the caption hereof.

Section 2. That the members of the said City Planning Commission shall consist of the Chief Executive officer of the City of Asheville, viz: The Mayor Commissioner of Public Accounts and Finances and George S. Stephens and A. G. Barnett who shall serve for a period of two years and D. Hiden Ramsey and Harry L. Parker who shall serve for a period of one year.

Section 3. All vacancies and new appointments to the City Planning Commission shall be made by the governing body of the City of Asheville as provided in the act of the General Assembly hereinbefore mentioned.

I move the adoption of the foregoing resolution this the 22nd day of September, A. D. 1922.

Galk tin Roberts.

Commissioner.

Approved as to form:
George Pennell

Corporation Counsel.

The request for a light on Oakwood Street was, on motion, referred to the Commissioner of Public Works for investigation and report.

CORNELIA STREET -PETITION

A petition requesting the paving of Cornelia Street from Hillside Street to Annandale Avenue was presented to the Board and on motion, referred to the City Engineer for investigation and report as to the property owners and front footage represented thereon.

PETITION
FOR
LOCAL IMPROVEMENT.

TO THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Gentlemen:-

The undersigned petitioning your Honorable Body respectfully show:

1st. That they are owners of lots or parcels of land in the City of Asheville N. C. with a frontage abutting on Cornelia Street hereinafter described and proposed to be improved.

2nd. Your petitioners requestfully request your Honorable Board to grade, sub-grade and pave with some suitable material to be selected and designed by your said Board that street or Avenue in the City of Asheville known as Cornelia Street or Avenue, the part proposed and requested to be improved being about _____ feet and being that portion of said street of Avenue lying between the following points, viz: Hillside St and Annandale Avenue.,

3rd: Your petitioners further request your Honorable Board for the purpose of raising the money for making the local improvement herein petitioned for and

paying for same when completed to adopt the method for procedure for such purposes set forth and provided in Chapter 56 of the public laws of North Carolina, ratified February 27th 1915, entitled "An Act relating to local improvements in municipalities " and exercise the powers and authority therein granted and conferred.

4th: Your petitioners further respectfully request and petition your Honorable Board to assess 2/3 the cost and expenses of said local improvement against the lots and lands fronting and abutting on said street or Avenue above described and proposed to be improved, in accordance with the above mentioned act and issue "Local Improvement Bonds" and "Assessment Bonds" to raise the funds necessary to pay for said improvement.

5th: That your petitioners are the owners of the following frontage abutting directly on said street or avenue for the improvement whereof this petition is filed to wit:-

R. E. Skelly	38 ft.	J. L. Lunsford	124 feet
E. D. Benland	64 "	Samuel Finestein	65 "
W. C. Faucette	48 "	E. R. Echerd	60 "
N. T. E. Bonsal [illegible]	[illegible] feet		

An Ordinance regulating the establishment and maintenance of hospitals, sanitariums, sanitoriums, boarding houses and lodging houses where persons suffering with tuberculosis are received, was presented to the Board, and on motion, passed on its third and final reading.

AN ORDINANCE REGULATING THE ESTABLISHMENT AND MAINTENANCE OF HOSPITALS, SANITARIUMS SANITORIUMS, BOARDING HOUSES AND LODGING HOUSES WHERE PERSONS SUFFERING WITH TUBERCULOSIS ARE RECEIVED.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE:

Section 1. That no person, firm or corporation shall keep, run, operate or maintain, within the corporate limits of the City of Asheville, North Carolina, any hospital, sanitarium, sanitorium, boarding house, lodging house, rooming house or other place at or in which any person or persons suffering, infected or afflicted with tuberculosis are received, lodged, kept , roomed or boarded, within one hundred and twenty five (125) feet of any residence, church, school, or public building unless such house or building within one hundred and twenty five feet thereof (125ft) is used for a like or similar purpose.

Provided however, that the provisions of this Ordinance shall not apply to a house used solely as a residence, in which a member of the immediate family who is infected orefflicted with tuberculosis resides and no other patients suffering with tuberculosis reside.

Provided further that the provisions of this Ordinance shall not apply until the first day of June A. D. 1923 to any Hospital, Sanitarium, Sanitorium, Boarding house, lodging house or rooming house operated in the City of Asheville at the time of the passage of this Ordinance, but on and after the first day of June A.D. 1923 the provisions hereof shall apply with full force and effect to any of the aforementioned institutions and establishments operated at the time of the passage of this Ordinance.

Section 2. That it shall be the duty of every person, firm or corporation operating at the time of the passage of this Ordinance, any hospital, sanitarium, sanitorium Boarding house, lodging house, rooming house or other place for the reception care or treatment of persons suffering, infected or afflicted with tuberculosis within the corporate limits of the city of Asheville, to report to the Health Officer of said city within ten days after the passage hereof, the name and location of any of the foregoing institutions.

Section 3. That any person, firm or corporation desiring or proposing to operate or maintain any of the institutions or places set forth in Section 1 hereof, before beginning operation or construction of any of the said institutions or places shall apply for a permit or license in writing to the Board of Commissioners, showing the exact location or place where such institution is to be maintained, owners of property and any other information necessary in passing upon such application by said Board in regard to such institutions and before the granting of such permit or license, the City Engineer shall make a survey of said premises and location sufficient to show whether the place where such institution is to be located complies with the provisions hereof, and it shall be the duty of any licensee holding a license hereunder to keep the liconse posted in a conspicuous place where the same can be seen by the public at all times.

Section 4. It shall be unlawful for any person, firm or corporation operating any hotel, boarding house or rooming house not licensed under the provisions hereof, to keep, lodge, room or board any person, infected or afflicted with tuberculosis within any such hotel, boarding house or rooming house.

Section 5. That any person, firm or corporation violating any of the provisions of this Ordinance shall upon conviction be subject to a penalty of fifty ($50.00) dollars for each and every such offense,

Section 6. That all ordinances or clauses of ordinances in conflict with any of the provisions of this ordinance, be and the same are hereby repealed.

I move the adoption of the foregoing Ordinance this the 20th day of September 1922.

Gallatin Roberts.
Commissioner.

Approved as to form

George Pennell

Corporation Counsel.

The application of one J. T. Dillingham for license to operate a public service automobile in the City of Asheville, was presented to the Board and in view of the criminal record of the said Dillingham, as shown by the records of the Police Court, it was ordered, on motion, that his application for a license be respectfully refused.

Weekly reports from the Public Health Nursing Association, Sealer of Weights and measures, Plumbing Inspector, Building Inspector, Dog Catcher, colored swimming pool, and from the Street, Department, Street Cleaning Department, Water Department, Incinerator Department and Health Department, were read to the Board and on motion ordered filed.

On motion, the following building permits were granted:

Charles M.Britt	Garage		Estimated Cost $325.00
A. C Clough	8 room house	Evelyn Place	" " 10,000.00
Paul T Hickling	5 room house	Majestic Ave	" " 2,500.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, September 23rd, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

[illegible] $375,000.00 City of Asheville Bonds

A communication from Mr. Chester B.Masslich, the New York Attorney passing on the legality of the $375,000. City of Asheville Bonds, congratulating the city on the sale and stating that he knew of no municipal bond sale in this State in years on so low a basis, was read to the Board and on motion ordered filed.

F. L. Conder, Esq.,
Asheville, N.C. September 21st. 1922.

$375,000. City of Asheville N.C.Bonds.

Dear Mr. Conder:-

I thank you for your telegram saying that the bonds were sold at 4¼% to the American Trust Company of Charlotte for $379,460.

That was certainly a most gratifying sale and I congratulate you and the City of Asheville. I know of no municipal bond sale in your state in years on so low a basis.

If there were any doubts as to the credit of the City of Asheville, that doubt could no longer exist.

Yours very truly

CHESTER B. MASSLISH

CBM/s

A petition requesting the installtion of a light on Fairfax Street was read to the Board and on motion, referred to the Commissioner of Public Works for investigation and report.

Asheville, N.C.
September 21st, 1922.

To the Hon. Mayor and Board of City Commissioners
City of Asheville, N.C.

Gentlemen:-

We, the undersigned, residing on Fairfax Street request your Honorable Body to place a street light on said street at a point about half way between Haywood Road and Maple Street.

Respectfully

C. W Brookshire M. L. Dumas S. T. Humber Mary Sweet
Henry Nagel.

One George Maxwell having filed bond, court record, doctors certificate and recommendations as required under the Ordinance governing public service automobiles in the City of Asheville and all papers being approved, his application for a license to operate a public service automobile in the city, was, on motion approved and it was ordered that he be granted the license requested.

Weekly report from the Aston Park Swimming Pool, was read to the Board and on motion, ordered filed.

On motion the following building permits were granted:

Mrs. Martha A. Ballanger	Repairs	53	Victoria Road	Estimated Cost $65.00
H. P. Flynn	Garage	10	Waynesville Ave	" " 25.00

On motion, adjourned.

Secretary-Treasurer.

Monday, September 25, 1922, 11 o'clock, A. M.

The Board of Commissioners met in regular session, Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

An application for a license for the Sparks Circus to exhibit in Asheville on October 21st was, on motion, respectfully refused for the present, due to the scarcity of the water supply.

A Mr. Stevens appeared before the Board and called attention to the fact that he was conducting an automobile cleaning establishment and that the present order prohibiting the use of city water for washing automobiles was causing him serious financial embarrassment. He asked whether or not relief could be afforded him in any way.

Mr. Stevens was informed by the Commissioner of Public Works that, due to the present scarcity of water no change could be made in the city's order at this time, however, there would be no objections to the washing of automobiles between the hours of 12 midnight and 2 or 4 o'clock, A. M., as at this time very little water was being used in the city. It was also suggested to Mr. Stevens that he could draw a supply of water between the hours above mentioned and use it to wash machines during the day.

An application for permission to sell weiners on the streets of the city was, on motion, referred to the Health Department for investigation and report.

On motion, one Robert Looper was ordered refunded $2.00, the amount paid by him for a chauffeur's license.

This action taken in view of the fact that said Looper was unable to pass the requisite examination.

In accordance with the recommendation of the City Planning Commission, it was ordered, on motion, that a building line be established on the east side of Biltmore Avenue between Pack Square and the Coca Cola Bottling Company's plant so as to provide for a seventy foot street between the said two points and the City Engineer was instructed to make a survey of the said street from the Coca Cola Bottling Company's plant to the city limits for the information of the said City Planning Commission in considering the further widening of this street.

(Copy of Recommendation)

September 25th, 1922.

To the Honorable Mayor and
Board of Commissioners,
City of Asheville, N. C.

Gentlemen:

This is to advise you that at a call meeting of the City Planning Commission held in the Mayor's office on September 22nd, 1922, at 4o'clock, P. M., it was recommended to the Board of Commissioners that it establish a building line on the East side of Biltmore Avenue from Pack Square to the Coca Cola Bottling Company's plant, so as to provide for a seventy (70) foot street between the said two points, and that the City Engineer be requested to make a survey of the said Street from the Coca Cola Bottling Company's plant to the city limits for the information of the said City Planning Commission in considering the further widening of this street.

Respectfully submitted,

F. L. Conder, Secretary

File No. ____ Letters ____

The City Engineer's report showing that from his investigation of the petition requesting the paving of Cornelia Street between Hillside Street and Annandale Avenue said petition was sufficient both as to property owners and front footage, was presented to the Board and, on motion, ordered filed.

(Copy of Report)

Sept. 25th, 1922

To F. L. Conder,
Secretary-Treasurer
City of Asheville

Dear Sir:-

Regarding the petition signed by property owners on Cornelia St. requesting that said street be paved from Hillside Street to Annandale Ave. I find that the said petition is signed by a majority in number of the owners, who represent a majority of all the lineal feet of frontage of the lands (owners of individual interests in one piece of property have been treated as one person) abutting upon the street or part of street proposed to be improved.

The following table shows the frontage of property on the street proposed to be improved, the number of property owners and the total frontage with the frontage petitioned for:

Lot No.	Property Owner	Frontage Feet and Inches	Petitioned for Feet and Inches
132	N. T. Robinson	119.7	119.7
133	Ed. C. Faucett	47.	47.0
134	Bob. Joyner	37.5	
134½	R. E. Shelley	37.5	37.5
135	Sam Finestein	65.0	65.0
136	J. H. Valentine	65.0	
137	Jennie L. Lunsford	62.0	62.0
138	" " "	62.0	62.0
139	E. Penland	62.0	62.0
140	J. E. Presley	62.0	
141	Cleo Benedict	41.3	
142½	E. R. Scherd	78.7	78.7
		739.7	533.9

Total Frontage	739.7
Frontage petitioned for	533.9
Total Property Owners	11
Property Owners signing Petition	7

Signed B. M. Lee City Engineer.

BUILDING PERMITS

On motion, the following building permits were granted:

E. C. Faucett	House & Garage	Hawthorn Way near Pearson Dr.	Estimated cost	$3,500.00
W. M. Hill	5-rm House	Logan Park	" "	1,500.00
W. M. Hill	Garage	Logan Park	" "	50.00
J. E. Rhodes	6-rm. House	Near Pennsylvania Avenue	" "	2,500.00

On motion, adjourned.

Secretary-Treasurer.

Wednesday, September 27th, 1922. 11 o'clock A. M.

The Board of Commissioners met in regular session. Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

M. A. REYNOLDS -QUITCLAIM DEED -COLEMAN AVENUE

Mr. N. A. Reynolds was before the Board and requested a quitclaim deed for half interest in Lot 18 Block 2 on Coleman Avenue, explaining that the City originally owned a half interest in certain property in that vicinity, the remainder being owned by his sister and that the city had sold off a number of lots and had never secured a quitclaim deed for his sister's interest and in order to clear the title on all of the property, his sister would give the city a quit claim deed for her interests in the property sold by the city and wished the city to give her a quit claim deed for its interest in the lot mentioned above.

This matter, on motion, referred to the Corporation Counsel for investigation and report.

COLEMAN AVENUE GRADING

A number of citizens owning property on Coleman Avenue appeared before the Board and requested that this street be graded at once and paved as early as convenient, stating that the property owners would assist in putting a temporary top coating on the street after it had been graded. This matter, on motion referred to the Commissioner of Public Works for investigation and report.

SPARKS WORLDS' FAMOUS SHOWS -LICENSE.

On motion it was ordered that the Sparks Worlds' Famous Shows be granted permission to exhibit in the City of Asheville on October 21st, on the payment of the regular license tax, and with the understanding that the City if to be paid $25.00 for the water used while here.

LANGWELL AVENUE AND ECTOR STREET- LIGHT

The request for the installation of a street light at the intersection of Langwell Avenue and Ector Street, was on motion referred to the Commissioner of Public Works for investigation and report.

J. M. RHODES -REFUND CHAUFFEUR'S LICENSE

On motion it was ordered that one J.M.Rhodes be refunded $2.00, the amount paid by him for his chauffeur's license.

This action taken in view of the fact that Mr. Rhodes is leaving the city and will have no use for the license.

ANDRE REMBERT -DANCE HALL -LANGREN HOTEL ROOF

On motion it was ordered that the Special License tax granted T. L. Yarborough to conduct dances on the Langren Hotel Roof Garden was ordered transferred to one Andre Rembert, Mr. Rembert having purchased the same.

It was also ordered on motion, that Mr. Rembert be granted a license to conduct dances on the Langren Hotel roof garden, the physical location having been passed on and reported favorably by the Chief of Police, Chief of the Fire Department and the Building Inspector.

FIRE ALARM BOXES -PURCHASE OF

On the recommendation of the Commissioner of Public Safety, it was ordered on motion that the City Purchasing Agent be instructed to purchase six (6) additional fire alarm boxes.

LEONARD SWANN)
RALPH RHYMER) PUBLIC SERVICE CHAUFFEUR'S LICENSE.

Leonard Swann and Ralph Rhymer having filed bonds, court records, doctor's certificates and recommendations as required under the Ordinance governing public service automobiles in the City of Asheville, and all papers being approved, their applications for licenses to operate public service automobiles in the city, were, on motion approved, and it was ordered that they be granted the licenses requested.

BUILDING PERMITS

On motion, the following building permits were granted:-

Burton Sign Co.	Billboard		Roberts St.	Estimated Cost	$200.00
Carolina Mac.Co.	Addition		W.side of So.Ry.Tracks	" "	300.00
R. W. Campbell	Garage	169	Park Avenue	" "	100.00
J. S.Griffin	2 room house		Fair Street	" "	800.00
F. M. Killen	Garage		Coleman Ave	" "	140.00
C. G. Logan	Garage		Biltmore Ave	" "	15,000.00
John McCurry	Alerations	33	Rector St.	" "	100.00
Ernest Petty	8 room house	48	Circle St	" "	2,000.00
A. M. Young	Addition	393	Haywood St	" "	300.00

On motion, adjourned.

Secretary-Treasurer.

Friday, September 29th, 1922. 11o'clock A.M.

The Board of Commissioners met in regular session Mayor Roberts presiding. The minutes of the previous meeting were read and approved.

KENILWORTH TRANSPORTATION COMPANY

A communication from Mr. W. R. Hester of the Kenilworth Transportation Company showing a change in the scheduleof the said Company was read to the Board and on motion, ordered filed.

KENILWORTH TRANSPORTATION COMPANY.

" Asheville, N.C.Sept.26th,1922.

To the Hon. Mayor and Commissioners,
Asheville, N.C.

Gentlemen:-

Am writing you in regard to changes that we have made since our application to you.

We have added a new route which runs to the Carolina Wood Products Company, via Flint Street and North Broadway. Bus leaves the Square at 6:30 A. M. and every half hour until eleven P. M. The fare is ten cents. We are using the King bus on this route.

We have discontinued the sightseeing trips and have put the White bus which was used for this purpose on the regular Biltmore Forest route. Have added the G.M.C. bus which was on the Biltmore-Forest route to the West Asheville route, making three busses on the West Asheville route instead of two.

Very truly yours,

W. R. Hester. "

WEEKLY REPORTS.

Weekly reports from the Water Department, Building Inspector, Plumbing Inspector, Sealer of Weights and Measures and Aston Park Play Ground, were read to the Board and on motion, ordered filed.

BUILDING PERMITS

On motion the following building permits were granted:

P. B.Baldwin	5 room house	Swannanoa Avenue	Estimated Cost	$1,400.00
C. V.Callehan	repairs	68 Hall Street	" "	75.00
Wm. Ehrlich	Repairs	27 Patton Avenue	" "	100.00
Haywood Realty Co.	Repairs	53 Walnut Street	" "	250.00
Mrs.D.S.Hinton	Repairs	106 Bartlett St	" "	250.00
P. G. Hobson	Repairs	20 Bay Street	" "	100.00
A. L. Lewis	Repairs	54 Madison Ave	" "	15.00
Mrs. Perkinson	Repairs	87 Woodfin St	" "	80.00
S. W. Ray	Repairs	141 Hillside St	" "	75.00
W. P. Singletary	5 room house	Michigan Ave	" "	3,500.00

On motion, adjourned.

Secretary-Treasurer.

Saturday, September 30, 1922. 11 o'clock A.M.

The Board of Commissioners met in regular session, Mayor Roberts absent, Vice-Mayor Sherrill presiding. The minutes of the previous meeting were read and approved.

The resignation of D. Ledbetter, Milk Inspector of the City of Asheville, was presented to the Board and on motion accepted with regrets.

On the recommendation of the Commissioner of Public Works, Mr. C. L. Reckley was, on motion, appointed to fill the vacancy caused by the resignation of Mr. Ledbetter.

WM. F. KRICKEN--ASSISTANT CITY ENGINEER.

On the recommendation of the Commissioner of Public Works, Mr. Wm. F. Kricken was appointed Assistant City Engineer to fill the vacancy caused by the resignation of Mr. T. A. Cox.

FAIRFAX STREET--SIDEWALK.

A petition requesting the construction of a sidewalk on Fairfax Street, west side, from Haywood Road to the intersection of Holly Street, was presented to the Board and on motion, referred to the City Engineer for a report as to the property owners and front footage represented thereon.

File No. 1 Letters 2d

(Copy of petition)

Hon. Mayor, Board of City Commissioners,
City of Asheville,
Asheville, N.C.

We, the undersigned, property owners residing on the west side of Fairfax Street, West Asheville, respectfully request your Honorable body to construct a side-walk on the west side of said Fairfax Street, from Haywood Road to a point on said street opposite the intersection of Holly Street.

Respectfully submitted:

E. CARLAND	428 Feet
C. W. BROOKSHIRE	53½ "
J. E. BALL	120 "
J. V. ROBERTS	60 "
G. H. JONES	60 "
MRS. MATT ENGLEMANN	120 "
ROBERT D. DUCKETT	53½ "
H. A. WELLS	396 "

OTIS G. SHACKELTON --TUBERCULAR SANITARIUM

The application of one Otis G. Shackelton for a license to conduct a Tubercular Sanitarium at #110 Sunset Drive, said application being approved by the City Health Officer, was, on motion, referred to the City Engineer for a report as to the distence of said proposed sanitarium to the nearest residence.

Asheville, N.C.

September 29th 1922.

To the Mayor and
City Commissioners
Asheville, N.C.

Gentlemen:-

In accordance with the provisions of an ordinance recently passed by the City Commissioners of the City of Asheville for the purpose of regulating sanitariums and other houses in which persons suffering from, infected or afflicted with tuberculosis are kept, I hereby apply for a permit or license to conduct a sanitarium where persons suffering, infected or afflicted with tuberculosis are kept, the sanitarium being located on the East side of Sunset Drive in the City of Asheville and being known as 110 Sunset Drive, and known as Roye cottage.

The house for which this application is made is owned by the undersigned and has been conducted as a tubercular sanitarium by Miss Kate Doughty for the last fifteen years.

Trusting this application may receive early attention, I am

Very respectfully,

OTIS G. SHACKELTON.

BUILDING PERMITS

On motion, the following building permits were granted:

J. J. Goldstein	7 room house	Pearson Drive	Estimated Cost	$4,000.00
Dora Haverman	1 " Addition	Vermont Avenue	" "	100.00
Messler Realty Co.	7 " house	Kenilworth Road	" "	6,500.00
B. G. Leiper	Repairs	83 Cumberland Ave	" "	200.00
H. T. Crook	5 room house	Virginia Avenue	" "	4,000.00
Carl Gregory	5 room house	" "	" "	4,000.00

On motion, adjourned.

Secretary-Treasurer.

State of North Carolina
Department of Archives and History
Raleigh

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(Signed) H. O. Stout
Camera Operator

Date 1-6-13

NCDA&H

END

OF BOOK